

By Mr. MOON of Tennessee: Papers to accompany bills for relief of John F. Taylor and Emmer H. Price; to the Committee on Invalid Pensions.

By Mr. MORGAN of Missouri: Petition of Post No. 461, Grand Army of the Republic, of Missouri, for volunteer officers' retired bill and granting pensions of \$30 per month to enlisted men; to the Committee on Pensions.

By Mr. NICHOLLS: Petition of Grange 899, Patrons of Husbandry, of Madisonville, Pa., for Senate bill 5842, oleomargarine law; to the Committee on Agriculture.

By Mr. PLUMLEY: Papers to accompany bills for relief of Sarah M. King and Oscar L. Pike; to the Committee on Invalid Pensions.

Also, petition of N. J. Hudson and others, for the antifutures bill; to the Committee on Agriculture.

By Mr. SPERRY: Resolutions of the Elias Howe, jr., Post, Grand Army of the Republic, of Bridgeport, Conn., favoring the Sulloway pension bill; to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: Petition of citizens of Texas, against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. SULZER: Petition of citizens of Washington, D. C., against extension of Barry Place; to the Committee on the District of Columbia.

Also, petition of American Federation of Labor, favoring Federal inspection of locomotive boilers; to the Committee on Interstate and Foreign Commerce.

Also, petition of National Business League of America, favoring San Francisco as site of Panama Exposition; to the Committee on Industrial Arts and Expositions.

By Mr. TAYLOR of Ohio: Petition of Second Baptist Church, Columbus, Ohio, for the Burkett-Sims bill; to the Committee on Interstate and Foreign Commerce.

SENATE.

MONDAY, January 9, 1911.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of the proceedings of Thursday last was read and approved.

Sundry messages in writing from the President of the United States were communicated by M. C. Latta, Executive clerk.

USELESS PAPERS IN THE TREASURY DEPARTMENT.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a list of certain papers in that department which are not needed or useful in the transaction of the current business of the department and have no permanent value or historical interest.

The communication, with the accompanying paper, will be referred to the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, and the Chair appoints the Senator from Arkansas [Mr. CLARKE] and the Senator from New Hampshire [Mr. GALLINGER] members of that committee on the part of the Senate.

REGISTRATION OF ELECTORS IN ARIZONA.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the secretary of the Territory of Arizona, together with a copy of a resolution adopted by the constitutional convention of that Territory, relative to the enactment of legislation authorizing a reregistration of the qualified electors of that Territory for the first election of State and county officers, members of the legislature, and Representatives in Congress, which, with the accompanying papers, was referred to the Committee on Territories and ordered to be printed.

EXPENDITURES IN DEPARTMENT OF AGRICULTURE.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement of the classified and detailed estimates of expenditures of the Department of Agriculture for the fiscal year ending June 30, 1912, together with reports of all expenditures under any appropriation for such service during the fiscal year ended June 30, 1910, etc., which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

BUREAU OF EQUIPMENT, NAVY DEPARTMENT.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting, pursuant to law, a report relative to the distribution of the duties of the

Bureau of Equipment, Navy Department, which, with the accompanying paper, was referred to the Committee on Naval Affairs and ordered to be printed.

ALABAMA INDIANS IN TEXAS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, the result of an investigation into the conditions of the Alabama Indians in Texas, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

GEORGETOWN BARGE, DOCK, ELEVATOR & RAILWAY CO.

The VICE PRESIDENT laid before the Senate the annual report of the Georgetown Barge, Dock, Elevator & Railway Co. for the fiscal year ended November 30, 1910 (S. Doc. No. 733), which was referred to the Committee on the District of Columbia and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the following causes:

William A. Wroe *v.* United States (S. Doc. No. 723);
Robert M. Cannon, administrator of the estate of Alfred L. Shotwell, deceased, *v.* United States (S. Doc. No. 727);
Newton C. Maney, administrator of the estate of James Maney, deceased, *v.* United States (S. Doc. No. 729);
Aaron C. Dean *v.* United States (S. Doc. No. 728);
Victor E. De Georgis, administrator of the estate of Francis A. De Georgis, deceased, *v.* United States (S. Doc. No. 726);
Gotlieb Feldmeyer *v.* United States (S. Doc. No. 730);
C. C. Jones, administrator of Thomas J. Jones, deceased, *v.* United States (S. Doc. No. 731);
The Ladies' Ursuline Community, of Columbia, S. C., *v.* The United States (S. Doc. No. 735); and
John W. King *v.* The United States (S. Doc. No. 732).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

C. B. M'CLENNY *v.* THE UNITED STATES.

The VICE PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and opinion filed by the court in the cause of C. B. McClenny *v.* The United States (S. Doc. No. 734), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

INCOME TAX.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the governor of Texas, transmitting a certified copy of a joint resolution passed by the legislature of that State, ratifying the proposed income-tax amendment to the Constitution. The Chair is of the opinion that the communication should be printed in the RECORD and referred to the Secretary of the Senate, to be kept in his custody.

There being no objection, the communication was ordered to be placed on the files of the Senate and to be printed in the RECORD, as follows:

EXECUTIVE OFFICE, STATE OF TEXAS,
Austin, January 3, 1911.

HON. JAMES S. SHERMAN,
Vice President of the United States of America,
Washington, D. C.

SIR: Pursuant to senate joint resolution No. 1, adopted by the thirty-first legislature of the State of Texas, at its third called session, and approved by me as governor on August 17, 1910, ratifying the proposed sixteenth amendment to the Constitution of the United States of America, I am inclosing you herewith copy of said resolution.

With assurances of my highest esteem, I am,

Very respectfully,

T. M. CAMPBELL, Governor of Texas.

Senate joint resolution 1.

Joint resolution ratifying the sixteenth amendment to the Constitution of the United States of America.

Whereas both Houses of the Sixty-first Congress of the United States of America at its first session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America in the following words, to wit:

A joint resolution proposing an amendment to the Constitution of the United States.

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution, namely:

"ARTICLE XVI. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportion-

ment among the several States and without regard to any census or enumeration."

Therefore be it

Resolved by the senate and house of representatives of the State of Texas, That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the legislature of the State of Texas.

That certified copies of this preamble and joint resolution be forwarded by the governor of this State to the President of the United States, Secretary of State of the United States, to the Presiding Officer of the United States Senate, and to the Speaker of the United States House of Representatives.

D. M. ALEXANDER,
President pro tempore of the Senate.
JOHN MARSHALL,
Speaker House of Representatives.

Approved August 17, 1910.

T. M. CAMPBELL, Governor.

I hereby certify that senate joint resolution No. 1 passed the senate August 4, 1910, by the following vote—ayes 28, nays 1.

CLYDE D. SMITH,
Secretary of the Senate.

I hereby certify that senate joint resolution No. 1 passed the house August 16, 1910, by the following vote—ayes 101, nays 1.

BOB BARKER,
Chief Clerk of House of Representatives.

Received in the executive office this 17th day of August, A. D. 1910, at 10 o'clock and 19 minutes a. m.

J. R. BOWMAN, Private Secretary.

Received in department of state this 17th day of August, A. D. 1910, at 10 o'clock and 30 minutes a. m.

W. B. TOWNSEND, Secretary of State.

THE STATE OF TEXAS, Department of State:

I, W. B. Townsend, secretary of state of the State of Texas, do hereby certify that the attached and foregoing is a true and correct copy of senate joint resolution No. 1, a joint resolution ratifying the sixteenth amendment to the Constitution of the United States of America, proposed at the first session of the Sixty-first Congress of the United States, with the indorsements thereon, passed by the thirty-first legislature of the State of Texas at its session convened in the city of Austin, Tex., on the 19th day of July, A. D. 1910, as said resolution appears on file in this department.

In testimony whereof I have hereunto signed my name officially and caused to be impressed hereon the seal of State, at my office in the city of Austin, Tex., on this the 31st day of December, A. D. 1910.

[SEAL.]

W. B. TOWNSEND, Secretary of State.

JOINT DETACHMENTS OF LAND AND NAVAL FORCES.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Military Affairs and ordered to be printed:

To the Senate and House of Representatives:

Some confusion exists in the matter of command in the case of joint operations ashore of detachments of the Army, Navy, and Marine Corps. The Joint Army and Navy Board, which was appointed by the President to consider questions of national defense which require the cooperation of the Army and Navy, has recommended that legislative action be obtained to definitely fix this matter and avoid confusion which may arise in the future. The recommendation of this board has been approved by the Secretary of War and the Secretary of Navy, as will be seen from the copies of communications transmitted herewith.

It is therefore recommended that a provision to the following effect be enacted into law:

Where detachments of the land and naval forces are engaged, by direction of the President, in the execution of a common undertaking, the naval and marine forces, while operating on shore, shall receive and obey the orders of the officer in chief command of the land forces in all matters necessary to the success of the common undertaking and to the maintenance of discipline.

WM. H. TAFT.

THE WHITE HOUSE, January 5, 1911.

THE RECLAMATION FUND.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed:

To the Senate and House of Representatives:

The act of Congress approved June 17, 1902 (32 Stats., 388), set apart as a fund for the reclamation of arid lands the moneys received from the sales of public lands in certain of the States and Territories, excepting the 5 per cent of the proceeds of such sales theretofore set aside by law for educational and other purposes. The receipts into the reclamation fund to June 30, 1909, were \$58,439,408.93, and the estimated total receipts to June 30, 1910, are \$65,714,179.06. The total amount accumulated in the fund to date is estimated at \$69,449,058.76, of which all but \$6,241,058.76 has been allotted to the several projects. On June 30, 1910, the net investment in reclamation works

amounted to \$53,781,302.88, of which \$52,945,441.03 had on June 30, 1910, been expended in the following primary projects:

State.	Project.	Net Investment.
Arizona.....	Salt River.....	\$8,430,959.16
Arizona-California.....	Colorado River.....	44,201.97
California.....	Orland.....	378,603.11
Arizona-California.....	Yuma.....	3,781,355.19
Colorado.....	Grand Valley.....	73,110.38
Do.....	Uncompahgre.....	4,166,639.04
Idaho.....	Boise.....	3,373,292.30
Do.....	Minidoka.....	2,900,896.56
Do.....	Snake River storage.....	69,142.75
Kansas.....	Garden City.....	378,316.07
Montana.....	Huntley.....	854,420.36
Do.....	Milk River.....	519,387.23
Do.....	St. Mary.....	265,874.03
Do.....	Sun River.....	599,958.59
Montana-North Dakota.....	Lower Yellowstone.....	2,888,899.93
Nebraska-Wyoming.....	North Platte.....	4,609,476.50
Nevada.....	Truckee-Carson.....	3,975,976.42
New Mexico.....	Carlsbad.....	617,665.56
Do.....	Hondo.....	346,024.76
Do.....	Leasburg.....	193,418.82
New Mexico-Texas.....	Rio Grande.....	76,060.58
North Dakota.....	Buford-Trenton.....	278,294.40
Do.....	Williston.....	528,171.31
Oklahoma.....	Cimarron.....	8,873.17
Oregon.....	Central Oregon.....	40,133.44
Do.....	Umatilla.....	1,155,983.22
Oregon-California.....	Klamath.....	1,830,600.39
South Dakota.....	Bellefourche.....	2,313,525.22
Utah.....	Strawberry Valley.....	913,177.91
Washington.....	Okanogan.....	538,281.41
Do.....	Yakima.....	3,116,333.48
Wyoming.....	Shoshone.....	3,378,887.87
Total.....		52,945,441.03

In addition, there had been invested in secondary projects, June 30, 1910, \$587,390.71; in town-site development, \$10,955.49; in Indian irrigation, \$198,704.21; and for general expenses, \$38,811.44.

The reclamation act requires the return to the reclamation fund of the estimated cost of construction, and therefore entrymen and private landowners receiving water from such projects are required to contribute their proportion of the cost of construction, operation, and maintenance of the projects wherein their lands are located. The total cash returns to the reclamation fund from water-right building charges to June 30, 1910, were \$902,822.25, and from water-right operation and maintenance charges, \$249,637.19. In addition, there was to June 30, 1910, an additional revenue of \$2,086,173.73 derived from sales of town lots, sales of water, leases of power, etc., which are under the law credited as a reduction of the cost of the project from which the receipts are derived. On June 30, 1910, the Government was prepared to supply water in reclamation projects to 876,684 acres of land, and the area of lands included in the projects now under construction amounts to over 3,100,000 acres. No new projects have been undertaken since March 4, 1909, the efforts of the Government having been directed toward the completion of the 30 primary projects theretofore undertaken.

The additions to the reclamation fund from the sales of public land, while approximating between six and seven million dollars per annum since 1902, were found to be insufficient for the completion of existing projects with such expedition as the necessities of the settlers and landowners within the projects undertaken seemed to require. I accordingly recommended the issuance of certificates of indebtedness or bonds against the reclamation fund. The act of June 25, 1910 (36 Stats., 835), which authorized the issuance of not exceeding \$20,000,000 of certificates of indebtedness, repayable out of the reclamation fund, made the appropriation subject to the conditions that it should be expended upon existing projects and their necessary extensions, and that no part of the same should be expended until after the projects had been examined and reported upon by a board of engineer officers of the United States Army, and approved by me as feasible, practicable, and worthy. The board of engineers selected spent the summer in field examinations of the projects, and has submitted to me its report upon each of the projects heretofore undertaken, together with recommendations as to the allotment of the proceeds of the certificates authorized to be issued. In addition, pursuant to my request, the board has submitted its recommendations for the allotment of that part of the reclamation fund derived from the sales of public lands to supplement the \$20,000,000 loan and to carry on worthy projects not participating in the distribution of the loan.

The report of the board is based not only upon its field examination of the various projects, but upon information derived from personal conference with the field officers and employees of the Reclamation Service and data furnished by such officers and employees. In addition, settlers, landowners, and other parties interested in the projects were given an opportunity to be heard. The feasibility of the projects was considered from an engineering and economic standpoint, the board giving consideration to the character of the projects, whether international, interstate, or intrastate; the relative amounts of public and private lands capable of irrigation; the money already expended; the necessity of completion of the projects in order to secure its return; the existing contracts or agreements with water users' associations and private individuals; and the protection of water rights. The board also points out the importance of certain additional legislation, authorizing the sale of surplus stored water and the modification of conditions of payments of water rights on certain projects which will otherwise fail of returning their cost to the reclamation fund. The Secretary of the Interior, in his annual report to me, has recommended similar legislation.

The board recommended the allotment of the \$20,000,000 provided by the act of June 25, 1910, to the following-named projects:

Salt River, Ariz.	495,000
Yuma, Ariz. and Cal.	1,200,000
Grand Valley, Colo.	1,000,000
Uncompahgre, Colo.	1,500,000
Payette-Boise, Idaho.	2,000,000
Milk River, Mont.	1,000,000
North Platte, Wyo. and Nebr.	2,000,000
Truckee-Carson, Nev.	1,193,000
Rio Grande, N. Mex., Tex., and Mexico.	4,500,000
Umatilla, Oreg.	325,000
Klamath, Oreg. and Cal.	600,000
Strawberry Valley, Utah.	2,272,000
Sunnyside, } Yakima, Wash.	1,250,000
Tieton, }	665,000
Total	20,000,000

and that the interest on the loan as provided by said act be charged against the projects on the amounts contributed for their completion.

The recommendation of the board for the tentative allotment of the general reclamation fund among the various projects for the years 1911 to 1914, inclusive, was as follows:

Yuma	\$2,380,462
Grand Valley (conditional)	500,000
Uncompahgre	2,045,000
Minidoka	528,000
Payette-Boise	4,585,435
Huntley	110,000
Milk River	2,950,000
Sun River	3,278,000
Lower Yellowstone (conditional)	578,000
North Platte	2,185,000
Truckee-Carson	1,594,000
Rio Grande	1,855,000
Missouri pumping (conditional)	270,000
Bellefourche	480,000
Okanogan	13,000
Shoshone	2,000,000
Total	25,351,897

No allotments, either from the loan or from the general reclamation fund, were recommended for the following projects, except for necessary maintenance and operation: Orland, Cal.; Garden City, Kans.; Kittitas, Wapato, and Benton, Yakima project, Wash.; Carlsbad, N. Mex.; Hondo, N. Mex.

The last-named projects are, with the exception of the Kittitas, Wapato, and Benton units of the Yakima project, completed or nearly completed. With respect to the said three units of the Yakima project, the board recommended development of a general system of storage reservoirs for the Yakima Valley, provided Congress authorizes the sale of excess stored water, so that the return of the cost of building of reservoirs may be secured, but did not recommend any allotment of funds for the construction of reservoirs or canals specifically for the said units.

After careful consideration of the report of the Board of Engineers I approved the same, believing that it sets forth a plan for the distribution of the loan and of the available reclamation fund that, from an engineering and economic standpoint, will best secure the speedy completion of those projects which, because of their character, the needs of the settlers, treaty or interstate relations, protection of water rights, and prompt return to the reclamation fund of the moneys invested, should be given the preference in construction and completion over such projects, or parts of projects, which are more remote and may properly wait until a later date for construction, or may secure water through private canals, in the event the Government is authorized to dispose of surplus water to the owners of such

canals. My approval, however, is subject to the condition that the amounts allotted to the various projects may be adjusted and modified from time to time, as is found necessary for the intelligent and proper prosecution of the work and the advantage of the service. I have authorized the Secretary of the Interior to call upon the Secretary of the Treasury from time to time, as the same are needed, for the funds provided for by the act of June 25, 1910, in accordance with the allotments recommended by the board and approved by me.

Pursuant to the recommendations of the Secretary of the Interior and of the Board of Army Engineers, I earnestly recommend the enactment of a law which will permit of the disposition of any surplus stored water available from reclamation projects to persons, associations, or corporations operating systems for the delivery of water to individual water users for the irrigation of arid lands, and the enactment of legislation which will give Executive authority for the modification of conditions of payment for water rights on certain of the projects where, by reason of local conditions, the return of the cost of the projects to the reclamation fund will not be secured unless settlers are permitted to make payments on terms or conditions other than those specified in the public notices heretofore issued. In this connection attention is directed to the provisions of Senate bill 6842, now pending. Attention is also directed to the other legislation pertaining to reclamation projects recommended by the Secretary of the Interior, which legislation would aid in the administration of the reclamation projects.

With the funds now at our disposal and the enactment of the additional legislation suggested, it is hoped that the work upon the several projects for which allotments have been made may proceed to an early completion, and that the settlers and water users upon the projects, upon being furnished with water for the irrigation of their lands, may be enabled to return to the Treasury the sums expended in the construction of the projects. In accordance with the requirements of section 2 of the reclamation act the Secretary of the Interior has already transmitted to Congress the Ninth Annual Report of the Reclamation Service, and in order that Congress may be placed in possession of all the information at hand to date with reference to the reclamation projects and the estimated cost of their completion I transmit herewith for its further information a copy of the said report of the Board of Army Engineers.

WM. H. TAFT.

THE WHITE HOUSE, January 5, 1911.

AFFAIRS IN THE PHILIPPINES.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States (H. Doc. No. 1261), which was read and, with the accompanying paper, referred to the Committee on the Philippines and ordered to be printed:

To the Senate and House of Representatives:

As I said in my annual message, the Secretary of War by my direction visited the Philippine Islands during the summer, and has prepared a special report in respect to the condition of those islands, which I transmit to the Congress herewith.

It will appear by a perusal of the report that the condition of the islands, with respect to the prosperity, peace and good order, and the spread of education, has greatly improved during American occupation, and especially since the passage of the Payne tariff act, which gave to those islands practically free trade with the United States.

I commend to the perusal of the Congress the very satisfactory summary presented by Secretary Dickinson of the conditions now existing in the Archipelago.

WM. H. TAFT.

THE WHITE HOUSE, January 5, 1911.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. J. Browning, its Chief Clerk, announced that the House had passed the following bills:

S. 1872. An act setting apart a tract of land to be used as a cemetery by the Independent Order of Odd Fellows of Central City, Colo.;

S. 3904. An act for the relief of the Merritt & Chapman Derrick & Wrecking Co.; and

S. 5362. An act granting to the city of Bozeman, Mont., certain lands to enable the city to protect its source of water supply from pollution.

The message also announced that the House had passed the following bills, with amendments, in which it requested the concurrence of the Senate:

S. 115. An act for the relief of Marcellus Troxell;

S. 192. An act for the relief of James D. Elliott; and

S. 7252. An act granting an annuity to John R. Kissinger.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 5968. An act to pay Thomas P. Morgan, jr., amount found due him by Court of Claims;

H. R. 6776. An act for the relief of Olivia J. Baker, widow of Julian G. Baker, late quartermaster, United States Navy;

H. R. 11777. An act for the relief of John T. Glynn;

H. R. 15692. An act for the relief of William E. Murray;

H. R. 16133. An act for the relief of Samuel L. Barnhart;

H. R. 18342. An act for the relief of E. C. Young;

H. R. 18588. An act to correct the title to certain lands in the Creek Nation, Okla., sold under order of the United States court;

H. R. 18631. An act for the relief of Frederic William Scott;

H. R. 18857. An act for the relief of Laura A. Wagner;

H. R. 19379. An act for the relief of the estate of Jacob A. Henry;

H. R. 20072. An act for the relief of Hans N. Anderson;

H. R. 21965. An act for the relief of Mary Wind French;

H. R. 23888. An act for the relief of the Pennsylvania Engineering Co., of the city of Philadelphia;

H. R. 24123. An act for the relief of the legal representatives of William M. Wightman, deceased;

H. R. 24786. An act to refund certain tonnage taxes and light dues;

H. R. 25057. An act for the relief of Willard Call and John M. Wyatt;

H. R. 25074. An act for the relief of the owners of the schooner *Walter B. Chester*;

H. R. 25081. An act for the relief of Helen S. Hogan;

H. R. 25679. An act for the relief of the Sanitary Water-Still Co.; and

H. R. 26529. An act for the relief of Phoebe Clark.

The message also transmitted to the Senate resolutions of the House on the death of Hon. STEPHEN B. ELKINS, late a Senator from the State of West Virginia.

The message further announced that the Speaker of the House had appointed Mr. HUBBARD, Mr. HUGHES, Mr. WOODYARD, Mr. STURGISS, and Mr. GAINES of West Virginia, Mr. MANN of Illinois, Mr. ANDREWS of New Mexico, Mr. RUCKER of Missouri, Mr. ALEXANDER of New York, Mr. LONGWORTH of Ohio, Mr. CALDERHEAD of Kansas, Mr. LIVINGSTON and Mr. ADAMSON of Georgia, Mr. SLEMP and Mr. LAMB of Virginia, Mr. RICHARDSON of Alabama, and Mr. McCALL of Massachusetts members of the committee on the part of the House.

SENATOR FROM ILLINOIS.

The VICE PRESIDENT. Petitions and memorials are in order.

Mr. OWEN and Mr. LORIMER addressed the Chair.

The VICE PRESIDENT. The Senator from Oklahoma.

Mr. OWEN. I yield to the Senator from Illinois.

Mr. LORIMER. Mr. President, in the latter part of May last I introduced a resolution in the Senate calling for an inquiry of the charges made in the public press that I had been elected to this body by bribery and corruption. The resolution called for the most exhaustive inquiry. Subsequently a resolution calling for a similar procedure was adopted by the Senate directing a committee of the Senate to make the investigation. After a considerable time and a very thorough inquiry a report was made to the Senate by a majority of the committee. I understand that a minority report is to be submitted to-day, and that a discussion of the subject on these reports is to begin to-day.

Mr. President, because of what I know of my election to the Senate, knowing that I was not elected by bribery and corruption, and that no person was guilty of corrupt practices in my election, I feel that I am obligated to the State which I represent in part in this body and to myself to be present in this Chamber during the discussion, and at some later time I reserve the right to discuss the statements made in the Senate, together with the reports.

I hope that my presence here will not embarrass any Senator who desires to discuss this matter, as his presence will not embarrass me when the time shall arrive when I shall discuss it myself.

Mr. OWEN. Mr. President, on May 21, 1908—

Mr. BEVERIDGE and Mr. GALLINGER. Regular order!

The VICE PRESIDENT. The regular order is the presentation of petitions and memorials.

Mr. OWEN. I rise to a question of the highest privilege—the right of a Senator to a seat on this floor.

Mr. BEVERIDGE. Regular order!

The VICE PRESIDENT. That is the regular order when the Senator from Oklahoma has stated it, as he had not theretofore done.

Mr. OWEN. I rise for the purpose of presenting a resolution to vacate the seat in the Senate now held by WILLIAM LORIMER.

Mr. BEVERIDGE. Regular order, Mr. President. The resolution must come according to the standing rules of the Senate in the regular order of business.

Mr. HALE. In the course of that order.

Mr. BEVERIDGE. In the course of that order; and I hope it will not be necessary to suggest to the Senator from Oklahoma that the introduction of a resolution utterly out of order, according to the standing rules which form the law of this body, is hardly appropriate. The Senator, I take it, is aware—and if he is not, I will now inform him—that a minority report is to be filed by a member of the committee having this case in charge. The Senator had notice that such action might be taken when the majority of the committee submitted its majority report with the evidence.

The law which governs us puts the Senator's proposed resolution at a definite and distinct place in the order of business. The Senator, I think on reflection, will see the impropriety of making any suggestion in the matter out of the regular order of the Senate, out of the settled law which governs this body, and before the report from the minority of the committee is presented. That report I shall present, as is suggested, at the regular and appropriate time fixed in the standing rules of this body.

I call for the regular order, Mr. President.

The VICE PRESIDENT. The regular order is the question which the Senator from Oklahoma [Mr. OWEN] has raised.

Mr. BEVERIDGE. What is that?

The VICE PRESIDENT. A question of the highest privilege—the right of a Senator to a seat upon this floor.

Mr. BEVERIDGE. That is provided for, Mr. President, by the standing rules.

The VICE PRESIDENT. Does the Senator from Oklahoma yield further to the Senator from Indiana?

Mr. OWEN. I decline to yield further, Mr. President.

The VICE PRESIDENT. The Senator from Oklahoma declines to further yield to the Senator from Indiana.

Mr. BEVERIDGE. I merely then repeat that this will not preclude the regular order of the Senate going forward.

The VICE PRESIDENT. The Senator from Oklahoma has the floor, and he will present his resolution as a preliminary. Mr. OWEN. I present the following resolution:

Resolved, That the so-called election of WILLIAM LORIMER on May 26, 1909, by the legislature of the State of Illinois was illegal and void, and that he is not entitled to a seat in the United States Senate.

The VICE PRESIDENT. The Secretary will read the resolution.

Mr. GALLINGER. Let the resolution be stated from the desk, Mr. President.

The VICE PRESIDENT. The Secretary will read the resolution (S. Res. 316).

The Secretary read as follows:

Resolved, That the so-called election of WILLIAM LORIMER on May 26, 1909, by the legislature of the State of Illinois was illegal and void, and that he is not entitled to a seat in the United States Senate.

Mr. BEVERIDGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Indiana?

Mr. OWEN. I decline to yield to the Senator from Indiana.

The VICE PRESIDENT. The Senator from Oklahoma declines to yield.

Mr. GALLINGER. I rise to a question of order.

The VICE PRESIDENT. The Senator from New Hampshire will state his question of order.

Mr. GALLINGER. I make the point of order that under the rule the resolution should go over one day.

Mr. BEVERIDGE. If objected to.

The VICE PRESIDENT. The Chair will hold that a resolution of this character, presenting a question of the highest privilege, does not have to stand over for a day.

Mr. BEVERIDGE. Mr. President, I appeal from the decision of the Chair.

The VICE PRESIDENT. The Senator from Indiana appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. BEVERIDGE. Upon that point, Mr. President, just this sole remark—

Mr. GALLINGER (to Mr. BEVERIDGE). Do not discuss it—

Mr. BEVERIDGE. I do not think it is necessary, merely because it is an unquestioned rule of the Senate.

The VICE PRESIDENT. The question is, Shall the decision of the Chair stand as the judgment of the Senate? [Putting the question.] The noes have it, and the decision of the Chair is overruled.

Mr. BEVERIDGE. Regular order!

Mr. MONEY. Mr. President, there was a misapprehension of the question.

Mr. OWEN. I ask that the question be again put, Mr. President. There was a misapprehension.

The VICE PRESIDENT. The question has once been put. The request was not made prior to the announcement of the vote. The Chair will not put the question again.

Mr. GALLINGER. The resolution goes over.

The VICE PRESIDENT. The resolution goes over under the decision of the Senate.

Mr. OWEN. I make the point that, notwithstanding the resolution goes over, I have a right now to the floor to speak upon it.

Mr. BEVERIDGE and Mr. GALLINGER. Regular order, Mr. President.

The VICE PRESIDENT. The Chair will hold that the regular order is the presentation of petitions and memorials.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a memorial of the Oakland group of churches of Chicago, Ill., remonstrating against the proposed militarizing of the Panama Canal, and also against any increase of the Army and Navy as a necessary means of national defense, which was referred to the Committee on Inter-oceanic Canals.

He also presented resolutions adopted at the Forty-fourth National Encampment of the Grand Army of the Republic, held at Atlantic City, N. J., September 22-23, 1910, favoring the erection in the city of Washington of a soldiers and sailors monument, which were referred to the Committee on the Library.

He also presented a memorial of the Missouri State Teachers' Association, remonstrating against the enactment of legislation extending to the District of Columbia the benefits of the Morrill Acts for the promotion of education, which was referred to the Committee on the District of Columbia.

He also presented resolutions adopted at the Fourteenth Annual Convention of the New York State Federation of Labor, held at Niagara Falls September 20-23, 1910, relative to the construction and repair of ships of the United States Navy, which were referred to the Committee on Naval Affairs.

He also presented a petition of sundry citizens of Gramma Valley, N. Mex., praying that an appropriation of \$2,000 be made for the construction of a test well in that locality, which was referred to the Committee on Territories.

He also presented a memorial of the State Business Men's Association of Connecticut, remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted by the Veteran Volunteer Association of Kane County, Ill., at its annual meeting at Elgin, Ill., June 25, 1910, praying for the enactment of certain additional pension legislation relative to volunteers who served in the Civil War, which was referred to the Committee on Pensions.

He also presented a petition of the School Improvement Association of Many, La., praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Local Grange No. 1343, Patrons of Husbandry, of Richfield, Mich., praying for the establishment of a national bureau of health, which was referred to the Committee on Public Health and National Quarantine.

He also presented a petition of the Board of Education of Springfield, Ohio, praying that an appropriation of \$75,000 be made for the extension of the work of the Bureau of Education, which was referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of the District of Columbia, praying for the enactment of legislation to further restrict the sale of intoxicating liquors in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented memorials of sundry citizens and business firms of Indiana, Missouri, Wisconsin, Ohio, Minnesota, Oklahoma, Michigan, Kansas, Illinois, Iowa, Utah, Mississippi, California, Washington, and the Territory of Arizona, remonstrating against the passage of the so-called parcels-post bill, which

were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Camp No. 413, Woodmen of the World, of Evansville, Tenn., and a petition of Local Camp No. 60, Woodmen of the World, of Troy, N. Y., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of Local Union No. 157, International Brotherhood of Electrical Workers, of Elkhart, Ind., and a memorial of Local Union No. 1009, United Brotherhood of Carpenters and Joiners of America, of Delphi, Ohio, remonstrating against the revocation of the rights of San Francisco, Cal., to use the drainage basin of the Tuolumne River, which were referred to the Committee on the Geological Survey.

Mr. GALLINGER presented the memorial of George A. Wood, manager and editor of the Railway Post Office, of Portsmouth, N. H., and a memorial of the J. H. Tollett Co., of Nashua, N. H., remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which were referred to the Committee on Post Offices and Post Roads.

He also presented the petition of J. A. MacDougall, superintendent of schools of Portsmouth, N. H., praying that an appropriation be made for the extension of the field work of the Bureau of Education, which was referred to the Committee on Education and Labor.

He also presented the petition of Otis G. Hammond, librarian of the New Hampshire State Library, Concord, N. H., praying that an appropriation be made for the finishing of the crypt at the Naval Academy for the remains of John Paul Jones, which was referred to the Committee on Naval Affairs.

He also presented a petition of the Board of Trade and Merchants' Exchange of Portsmouth, N. H., praying that an appropriation be made for the construction of an addition to the quay wall at the Portsmouth Navy Yard, which was referred to the Committee on Naval Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Epping, N. H., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings and on ships, which was referred to the Committee on Education and Labor.

He also presented a petition of the Methodist Federation for Social Service of Dover, N. H., praying for the passage of the so-called children's bureau bill, which was ordered to lie on the table.

He also presented a petition of the J. E. Henry & Sons Co., of Lincoln, N. H., praying for the enactment of legislation to constitute intoxicating liquors a special class of commodities and to regulate the interstate-commerce shipments of such liquors, which was referred to the Committee on the Judiciary.

He also presented the petition of L. H. Woolsey, of Washington, D. C., praying for the enactment of legislation providing for the extension of the Broad Branch Road, in the District, which was referred to the Committee on the District of Columbia.

Mr. CULLOM presented a petition of sundry citizens of Illinois, praying for the enactment of legislation providing for pay for officers and men of the National Guard and militia, which was referred to the Committee on Military Affairs.

He also presented memorials of sundry citizens of Illinois, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Illinois, praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

Mr. KEAN presented a petition of the congregation of the First Presbyterian Church of Belvidere, N. J., praying for the enactment of legislation to prohibit the interstate transmission of race-gambling bets, which was referred to the Committee on the Judiciary.

He also presented the memorial of Eugene E. Nice, of Philadelphia, Pa., remonstrating against the passage of the so-called Heyburn paint bill, which was ordered to lie on the table.

He also presented petitions of Fred S. Shepherd, of Asbury Park; C. L. Thompson, of East Orange; Benjamin Atha, of High Bridge; Mrs. William E. Hoyt, of Plainfield; E. A. Spencer, of South Orange; Mrs. C. L. Riley, of Plainfield; Mrs. F. Z. Blanchard, of East Orange; Mrs. Kirtland Myers, of Plainfield; H. G. Cordley, of Glen Ridge; the Woman's Club of Glen Ridge; and the Society for the Prevention of Cruelty to Children, of

Morristown, all in the State of New Jersey, praying for the passage of the so-called children's bureau bill, which were ordered to lie on the table.

He also presented memorials of Columbia Encampment, No. 38, Independent Order of Odd Fellows, of Elizabeth; of the Monmouth County Farmers' Exchange, of Freehold; and of Ernest Beyer, of Atlantic City, all in the State of New Jersey, remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which were referred to the Committee on Post Offices and Post Roads.

Mr. GAMBLE presented a petition of Local Lodge No. 2452, Modern Brotherhood of America, of Revillo, S. Dak., and a petition of Local Lodge No. 740, Modern Brotherhood of America, of Mitchell, S. Dak., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the warden of the State penitentiary of South Dakota, remonstrating against the enactment of legislation to limit the sale of prison-made goods to the State in which they are manufactured, etc., which was referred to the Committee on Manufactures.

Mr. WARREN presented a memorial of sundry citizens of Wyoming, remonstrating against the enactment of legislation to repeal part of the agricultural appropriation act of March 4, 1907, and part of the public lands withdrawal act of June 25, 1910, relating to the creation of and additions to forest reserves in certain States, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Cheyenne, Wyo., and a petition of the Cosgriff Bros. Co., of Rock River, Wyo., remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Trades and Labor Council of Walla Walla, Wash., praying for the enactment of legislation authorizing the subdivision and sale of the abandoned Fort Walla Walla Military Reservation, which was referred to the Committee on Military Affairs.

Mr. BURKETT presented a petition of the Commercial Club of Seward, Alaska, praying for the enactment of legislation granting them the privilege of mining their own coal, which was referred to the Committee on Public Lands.

He also presented a petition of the Trades and Labor Council of Walla Walla, Wash., praying for the enactment of legislation authorizing the sale of certain land on which Fort Walla Walla is now situated, which was referred to the Committee on Military Affairs.

He also presented memorials of sundry business men of Schuyler, Lincoln, Nebraska City, Omaha, and Edgar, all in the State of Nebraska, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

He also presented the memorial of Rebekah S. Manderson, vice regent of the Mount Vernon Ladies' Association for the State of Nebraska, remonstrating against the location of a criminal reformatory on the Belvoir tract in Virginia, which was referred to the Committee on the District of Columbia.

He also presented memorials of sundry fraternal associations in the State of Nebraska, praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

Mr. OLIVER presented a memorial of sundry citizens of Irwin, Pa., remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Union No. 242, Cigar-makers' International Union of America, of York, Pa., and a petition of Progress Grange, No. 96, Patrons of Husbandry, of Center Hall, Pa., praying for the repeal of the present oleomargarine law, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of the East End Presbyterian Church, of Pittsburg, Pa., and a petition of the Ministers' Association of Oil City, Pa., praying for the enactment of legislation to prohibit the interstate transmission of race-gambling bets, which were referred to the Committee on the Judiciary.

He also presented petitions of Local Lodge No. 2146, Modern Brotherhood of America, of Philadelphia; of Local Camp No. 8, Woodmen of the World, of Butler; of Local Camp No. 207, Woodmen of the World, of Swissvale; and of Local Chapter No. 479, American Insurance Union, of Pittsburg, all in the State of Pennsylvania, praying for the enactment of legislation provid-

ing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Common Council of Lebanon, Pa., and a petition of the Chamber of Commerce of Pittsburg, Pa., praying that New Orleans, La., be selected as the site for holding the proposed Panama Canal Exposition, which were referred to the Committee on Industrial Expositions.

Mr. BURNHAM presented a petition of the Woman's Christian Temperance Union of Epping, N. H., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government ships and buildings, which was referred to the Committee on Education and Labor.

He also presented the petitions of Rev. J. P. Conover, of Concord; C. W. Bickford, of Manchester; and James A. MacDougall, of Portsmouth, all in the State of New Hampshire, praying for the passage of the so-called children's bureau bill, which were ordered to lie on the table.

He also presented the petition of Prof. J. A. Tufts, of Exeter, N. H., and the petition of Herbert D. Foster, of Hanover, N. H., praying for the enactment of legislation providing for the establishment of the Appalachian Forest Reserve, which were ordered to lie on the table.

He also presented the petition of W. C. Patten, of Manchester, N. H., and the petition of Prof. Charles F. Emerson, of Hanover, N. H., praying that San Francisco, Cal., be selected as the site for the proposed Panama Canal Exposition, which were referred to the Committee on Industrial Expositions.

He also presented a petition of Joe English Grange, No. 53, Patrons of Husbandry, of New Boston, N. H., and the petition of M. J. Galligan, of Dover, N. H., praying that New Orleans, La., be selected as the site for the proposed Panama Canal Exposition, which were referred to the Committee on Industrial Expositions.

He also presented the petition of G. E. Henry, of Lincoln, N. H., praying for the enactment of legislation to constitute intoxicating liquors as a special class of commodities, and to regulate interstate-commerce shipments of such liquors, which was referred to the Committee on the Judiciary.

Mr. NIXON presented a petition of the Commercial Club of Reno, Nev., praying that an appropriation be made providing for the establishment of homes for United States ambassadors in foreign countries, which was referred to the Committee on Foreign Relations.

He also presented memorials of sundry citizens of Battle Mountain, Nev., remonstrating against the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

Mr. NELSON presented a memorial of the State Board of Control of Minnesota, remonstrating against the enactment of legislation to limit the sale of prison-made goods to the State in which they are manufactured, etc., which was referred to the Committee on Manufactures.

He also presented petitions of sundry lodges, Modern Brotherhood of America, of Browns Valley, Bird Island, Fergus Falls, Minneapolis, Winthrop, Fertile, Sauk Center, Aurora, Mapleton, Cloquet, Cook, Welcome, St. Paul, and Duluth, all in the State of Minnesota, praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

Mr. BURROWS presented sundry papers to accompany the bill (S. 6992) to correct and complete the military record of Dugald Cameron Morrison, which were referred to the Committee on Military Affairs.

Mr. SUTHERLAND presented memorials of sundry citizens and business firms of Salt Lake City, Pleasant Grove, and of Farrer Bros. Mercantile Co., of Provo, all in the State of Utah, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

Mr. BRISTOW presented sundry papers to accompany the bill (S. 9458) granting an increase of pension to Melissa J. Kauffman, which were referred to the Committee on Pensions. He also presented sundry papers to accompany the bill (S. 9696) granting an increase of pension to Benjamin Bennett, which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 9459) granting an increase of pension to Catherine M. Walker, which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 9562) granting an increase of pension to William W. Frazer, which were referred to the Committee on Pensions.

He also presented petitions of Local Lodge No. 953, of Sharon, and of Local Lodge No. 848, of Easton, Modern

Brotherhood of America; of Local Camp No. 48, of Caney, of Local Camp No. 188, of La Harpe, Woodmen of the World; of Local Councils No. 33, of Topeka, No. 53, of Weir, No. 44, of Chanute, No. 25, of Kansas City, No. 19, of Kansas City, No. 16, of Downs, and No. 10, of McPherson, Sons and Daughters of Justice, all in the State of Kansas, praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Kansas, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

Mr. JONES. I present a concurrent resolution of the legislature of Washington, which I ask may be read and referred to the Committee on the Judiciary.

There being no objection, the concurrent resolution was read and referred to the Committee on the Judiciary, as follows:

Senate concurrent resolution 17.

Whereas it appears from the investigation made by the Senate of the United States, and otherwise, that polygamy still exists in certain places in the United States, notwithstanding prohibitory statutes enacted by the several States thereof; and

Whereas the practice of polygamy is generally condemned by the people of the United States, and there is a demand for the more effectual prohibition thereof by placing the same under Federal jurisdiction and control, at the same time reserving to each State the right to make and enforce its own laws relating to marriage and divorce: Now, therefore, be it

Resolved by the senate of the State of Washington (the house concurring), That application be, and the same is hereby, made to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention to propose an amendment to the Constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited and Congress shall be given power to enforce such prohibition by appropriate legislation.

Resolved further, That the secretary of state be, and is hereby, directed to transmit copies of this application to the Senate and House of Representatives of the United States, and to the several Members of the said body representing this State therein.

UNITED STATES OF AMERICA, State of Washington:

I, I. M. Howell, do hereby certify that the legislature of the State of Washington, at its eleventh regular session in 1909, adopted the above and foregoing resolution, which was presented by Senator Metcalf and passed on the 23d day of said session; and I further certify that I have carefully compared the above copy with the original now on file in this office and find the same to be a full, true, and correct copy thereof and of the whole of said original and that this copy is transmitted pursuant thereto.

In testimony whereof I have hereunto set my hand and affixed the seal of the State of Washington, at the capitol, at Olympia, this 1st day of September, A. D. 1910.

[SEAL.]

I. M. HOWELL, Secretary of State.

Mr. SMITH of Maryland presented a petition of sundry citizens of Havre de Grace, Md., praying for the enactment of legislation to prohibit the transmission of race-gambling bets, etc., which was referred to the Committee on the Judiciary.

He also presented the memorial of Mrs. Henry W. Rogers, vice regent of the Mount Vernon Ladies' Association of Maryland, remonstrating against the location of a criminal reformatory for the District of Columbia on what is known as the Belvoir or White House tract of land in Virginia, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Baltimore Yearly Meeting of the Religious Society of Friends, of Maryland, praying for the enactment of legislation to constitute intoxicating liquors as a special class of commodities, and to regulate the interstate shipment of such liquors, which was referred to the Committee on the Judiciary.

Mr. STONE presented a memorial of the State Teachers' Association of Missouri, remonstrating against the extension of the benefits of the Morrill Act to the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Mississippi Valley Drainage and Highway Association, praying that an appropriation be made for the survey and drainage of the lower Mississippi Valley, from the highlands of Missouri to the Gulf, which was referred to the Committee on Commerce.

He also presented a petition of the upper house, Common Council of Kansas City, Mo., praying that New Orleans, La., be selected as the site for holding the proposed Panama Canal Exposition, which was referred to the Committee on Industrial Expositions.

He also presented petitions of Butterfield Lodge, No. 386; America Lodge, No. 217; Hanover Lodge, No. 583; St. Louis Lodge, No. 5; Corning Lodge, No. 330; Rock Port Lodge, No. 79; Wooldridge Lodge, No. 430; Oak Lodge, No. 53; Fillmore Lodge, No. 91; Osage Valley Lodge, No. 421; Concordia Lodge, No. 590; Acorn Lodge, No. 336; Liberty Lodge, No. 340; Caruth Lodge, No. 335; Agency Lodge, No. 180; Oak Lodge, No. 3; and High Ridge Lodge, No. 578, all of the Woodmen of the World; of Linden Lodge, No. 759; Perry Lodge, No. 718; Meramec Lodge,

No. 765; Golden Rod Lodge, No. 1575; Edith Lodge, No. 774; St. Charles Lodge, No. 530; Germania Lodge, No. 1525; Osceola Lodge, No. 1932; Independence Lodge, No. 364; Long Elm Lodge, No. 2434; Flora Lodge, No. 2091; Eureka Lodge, No. 584; Belle Lodge, No. 2286; German-Hungary Lodge, No. 1866; Jared Lodge, No. 766; Shirley Lodge, No. 2325; Chamolis Lodge, No. 2105; Laheigh Lodge, No. 1343; Irondale Lodge, No. 672; Prescott Lodge, No. 2298; Old Monroe Lodge, No. 824; Mexico Lodge, No. 792; Elsberry Lodge, No. 813; Wright City Lodge, No. 1809; Germania Lodge, No. 1201; Beethoven Lodge, No. 337; Pleasant Hill Lodge, No. 426; Shope Lodge, No. 762; Ozark Lodge, No. 1615; Missouri Valley Lodge, No. 1942; Butts Lodge, No. 1595; Dewey Lodge, No. 330; Roselle Lodge, No. 2481; Rockville Lodge, No. 959; Strasburg Lodge, No. 612; Union Lodge, No. 1573; Marthasville Lodge, No. 1055; Excelsior Springs Lodge, No. 1583; Bellflower Lodge, No. 881; Norborne Lodge, No. 2020; Bolivar Lodge, No. 1941; Cardwell Lodge, No. 1850; Hobson Lodge, No. 355; Pontiac Lodge, No. 1903; St. Joseph Lodge, No. 390; Coldwater Lodge, No. 1247; Oscar Lodge, No. 2748; Jewell Lodge, No. 963; Unity Lodge, No. 2288; Rolla Lodge, No. 2605; St. Genevieve Lodge, No. 534; Sunbeam Lodge, No. 2667; Ellsinore Lodge, No. 1378; Menfro Lodge, No. 1864; Mayfield Lodge, No. 1933; Marquand Lodge, No. 1633; Welcome Lodge, No. 2022, all of the Modern Brotherhood of America, in the State of Missouri, praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Missouri, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

He also presented sundry papers to accompany the bill (S. 5864) granting an increase of pension to Andrew Houlihan, which were referred to the Committee on Pensions.

Mr. OVERMAN presented the affidavit of William H. Hamilton, of Buncombe County, N. C., praying that he be granted an increase of pension, which was referred to the Committee on Pensions.

He also presented the memorial of Mrs. A. B. Andrews, vice regent of the Mount Vernon Ladies' Association for the State of North Carolina, remonstrating against the establishment of a criminal reformatory for the District of Columbia on what is known as the Belvoir or White House tract of land in Virginia, which was referred to the Committee on the District of Columbia.

He also presented a petition of Cedar Camp, No. 239, Woodmen of the World, of East Spencer, N. C., and a petition of Morning Star Camp, No. 379, Woodmen of the World, of Matthews, N. C., praying for the enactment of legislation providing for the admission of the publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

Mr. HEYBURN presented papers to accompany the bill (S. 7178) granting an increase of pension to Grant Noble, which were referred to the Committee on Pensions.

He also presented a memorial of sundry business firms of Hailey, Idaho, remonstrating against the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Hope Lodge, No. 1071, Modern Brotherhood of America, of Payette, Idaho, praying for the enactment of legislation to authorize the admission of publications of fraternal societies to the mail as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Trades and Labor Council of Walla Walla, Wash., praying for the enactment of legislation authorizing the subdivision and sale of the abandoned Fort Walla Walla Military Reservation, which was referred to the Committee on Military Affairs.

Mr. OWEN presented a concurrent resolution of the legislature of Oklahoma, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the Record, as follows:

House concurrent resolution 5, by Barrett, memorializing Congress to assist State departments of agriculture in the distribution of their bulletins, reports, and printed matter pertaining to farmers' institutes and general agricultural work by granting to the several States the franking privilege now enjoyed by the Federal Department of Agriculture.

Whereas the most effective work of State departments of agriculture, experiment stations, demonstration farms, and other State agencies for the development of agriculture and its kindred industries is accomplished by the dissemination of bulletins and reports concerning the results of experiments made and of the scientific research undertaken by these departments; and

Whereas the expense of postage under the classifications of the Post Office Department is an almost unsurmountable obstacle to the general dissemination of this valuable literature: Therefore be it

Resolved by the house of representatives of the State of Oklahoma (the senate concurring therein), That the Congress of the United States is hereby respectfully requested to grant to the several States the use of the franking privilege now enjoyed by the Federal Department for the distribution of all bulletins, reports, and other literature issued by the State departments of agriculture for the improvement and development of agriculture and its kindred sciences; that a copy of this resolution suitably engrossed be sent to each of our Senators and Representatives in Congress, to be presented by them to their respective Houses.

Passed the house of representatives this 6th day of December, 1910.

W. W. ANTHONY,

Speaker of the House of Representatives.

Passed the senate this 7th day of December, 1910.

GEO. W. BELLAMY,

President of the Senate.

Mr. OWEN presented a concurrent resolution of the legislature of Oklahoma, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

House concurrent resolution 6.

Be it resolved by the house of representatives of the State of Oklahoma (the senate concurring therein), That the Congress of the United States is hereby respectfully requested to aid in the establishment of consolidated rural schools and to improve the agricultural and commercial conditions in the several States by extending national aid to the building of good roads; that a copy of this resolution be properly engrossed and sent to each of our Senators and Representatives in Congress for presentation to each of their respective Houses.

Passed the house of representatives this 6th day of December, 1910.

W. B. ANTHONY,

Speaker of the House of Representatives.

Passed the senate this 7th day of December, 1910.

GEO. W. BELLAMY,

President of the Senate.

Mr. OWEN presented a concurrent resolution of the legislature of Oklahoma, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

House concurrent resolution 7.

Be it resolved by the house of representatives of the State of Oklahoma (the senate concurring therein), That the Congress of the United States is hereby memorialized to create an annual fund or endowment, similar to the Hatch or Adams fund, for the promotion of agricultural experiment and educational extension work among the people of the several States by enabling boards of agriculture, experiment stations, and agricultural colleges to cooperate with railroad companies, State and county fair associations, and other bodies in running live-stock trains, conducting traveling farmers' institutes, and farm demonstrations and holding short courses for the promotion and improvement of live stock and the development of better farming methods in all the States; that a copy of this resolution, suitably engrossed, be sent to each of our Senators and Representatives in Congress.

Passed the house of representatives this 6th day of December, 1910.

W. B. ANTHONY,

Speaker of the House of Representatives.

Passed the senate this 7th day of December, 1910.

GEO. W. BELLAMY,

President of the Senate.

Mr. OWEN presented a concurrent resolution of the legislature of Oklahoma, which was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

House concurrent resolution 13.

Whereas under the provisions of an act of Congress of the United States entitled "An act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes," approved July 1, 1902, whereby certain lands in the Chickasaw Nation were reserved from allotment and provisions made for the payment to the Indian tribes therefor by the United States Government at the rate of \$20 per acre, and which said land having been reserved, maintained, and used as a pleasure resort commonly known as Platt National Park, situated in Murray County; and

Whereas it is expressed in said act of Congress that it is the intention that the lands so reserved from allotment should in the future be conveyed by the United States Government to such Territorial or State organization as might exist when such conveyance was made; and

Whereas the Secretary of the Interior has construed said last-named provision in said act as casting a cloud on the title of the United States Government to said lands and has recommended that no appropriation be made for said lands as a pleasure resort by reason of the cloud on the title thereto: Now, therefore be it

Resolved by the house of representatives (the senate concurring therein), That the said State disclaim any right, title, or interest in and to the lands aforementioned, the same being lands now embraced in what is known as Platt National Park, adjoining the city of Sulphur, in said Murray County; and be it further

Resolved, That the Congress of the United States is requested and memorialized to make a suitable appropriation to maintain, preserve, protect, and care for said lands for the purpose of a public pleasure resort as it has heretofore done.

Passed the house of representatives this 13th day of December, 1910.

W. B. ANTHONY,

Speaker of the House of Representatives.

Passed the senate this 14th day of December, 1910.

J. ELMER THOMAS,

President pro tempore of Senate.

Mr. OWEN presented petitions of sundry citizens and business firms of New York City, N. Y.; Monte Ne, Ark.; Oklahoma

City, Okla.; Athens, Ga.; Ashland, Mass.; Huntsville, Ala.; Quincy, Ill.; Petaluma, Cal.; Charlotte, N. C.; Winston-Salem, N. C.; Augusta, Me.; Lancaster, Pa.; Baltimore, Md.; Parkersburg, W. Va.; Long Branch, N. J.; Philadelphia, Pa.; Los Angeles, Cal.; and Dubois, Pa., praying for the establishment of a national bureau of health, which were referred to the Committee on Public Health and National Quarantine.

Mr. LODGE presented a petition of sundry citizens of Massachusetts, praying for the enactment of legislation to provide for the relief and retirement of officers and men of the United States Life-Saving Service, which was referred to the Committee on Commerce.

Mr. PENROSE presented a memorial of the Manufacturers' Club of Philadelphia, Pa., remonstrating against the adoption of the so-called Cummins joint resolution to limit the right of amendment to bills introduced to amend an act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," which was ordered to lie on the table.

He also presented petitions of sundry local granges, Patrons of Husbandry, of Thompson, Calkins, Waterford, Linden Hall, Utica, Emigsville, Lewisberry, Hanover, Kenmoor, Orangeville, Wyalusing, Downingtown, Springboro, West Grove, Wilcox, Slippery Rock, Warren, Diamond, Dunkard, Royersford, Volant, Corydon, Tyndell, Loysburg, Eagle Foundry, Weedville, Buckmanville, Grampian, New Enterprise, Lincoln Falls, Madisonville, Elizabethtown, Avondale, and Towanda, all in the State of Pennsylvania, praying for the repeal of the present oleomargarine law, which were referred to the Committee on Agriculture and Forestry.

Mr. MARTIN presented a paper to accompany the bill (S. 9671) granting a pension to Irene H. Eubanks, which was referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 6263) granting a pension to W. D. Clark, which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 9377) granting an increase of pension to Cornelia A. Nickels, which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 9669) for the relief of Herbert Thompson, which were referred to the Committee on Claims.

Mr. STEPHENSON presented petitions of Local Lodges No. 1132, of Green Bay; No. 20, of Grantsburg; No. 15, of Chippewa Falls; No. 8, of Wilton; No. 1816, of Lyndon; No. 1157, of Hazelhurst; No. 1262, of Superior; No. 1374, of Milwaukee; No. 1216, of Cumberland; No. 1210, of Waterloo; No. 1146, of Oconto Falls; No. 1365, of Eau Claire; No. 1672, of New London; No. 1138, of Knowlton; No. 1712, of Townsend; No. 1012, of Saxon; and No. 1268, of Wilton, all of the Modern Woodmen of America; and of Local Lodges No. 1113, of Niagara; No. 1685, of Allouez; No. 1510, of Tomahawk; No. 1770, of Randolph; No. 1171, of Wauwatosa; No. 1121, of Brokaw; No. 1156, of Schofield; No. 1191, of Fall River; No. 1344, of Stetsonville; No. 1533, of Hayward; No. 1262, of Mills Center; No. 1162, of Florence; No. 1059, of Rosholt; and No. 1324, of Melford, all of the Modern Brotherhood of America, in the State of Wisconsin, praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Marshfield, Ripon, Glenwood, Stevens Point, Manitowoc, Oconto, and Green Bay, all in the State of Wisconsin, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of the Retail Merchants' Association of Appleton, of the Economic Club of Neenah, and of the Retail Grocers' Protective Association of Superior, all in the State of Wisconsin, praying for the repeal of the present oleomargarine law, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Federation of Women's Clubs of Grand Rapids, Wis., praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of William Evans Post, No. 58, Department of Wisconsin, Grand Army of the Republic, of Menomonie, Wis., praying for the enactment of legislation granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico, which was referred to the Committee on Pensions.

Mr. DEFEW presented a memorial of Local Branch No. 262, Retail Clerks' International Protective Association, of Wash-

ington, D. C., remonstrating against the enactment of legislation to increase the hours of labor of Government employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. CURTIS presented petitions of Local Councils No. 231, of Caldwell; No. 280, of Faulkner; No. 220, of Dodge City; No. 139, of Chapman; and No. 72, of Mound Valley, all of the Sons and Daughters of Justice, in the State of Kansas, praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of General Russell Post, No. 65, Department of Kansas, Grand Army of the Republic, of Pittsburg, Kans., praying for the enactment of legislation granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico, which was referred to the Committee on Pensions.

He also presented a petition of sixth counselor district, Kansas Medical Society, of Wichita, Kans., and a petition of the Sumner County Sunday School Association, of Caldwell, Kans., praying for the establishment of a national department of public health, which were referred to the Committee on Public Health and National Quarantine.

He also presented memorials of sundry citizens of Robinson, Ogden, Goodland, Ellinwood, Halstead, Abilene, Topeka, Wellington, and Beloit, all in the State of Kansas, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

Mr. CLAPP presented petitions of Local Lodges No. 275, of Averill; No. 377, of South Stillwater; No. 601, of Red Lake Falls; No. 482, of Sanborn; No. 359, of Windom; No. 1747, of Mendota; No. 1666, of Philbrook; No. 2004, of Lakeville; No. 458, of Sabin; No. 358, of Stewart; No. 818, of Afton; No. 276, of Lamberton; No. 2406, of Spooner; No. 360, of Brainerd; No. 2316, of Two Harbors; No. 1599, of Lake Crystal; No. 488, of Jeffers; No. 450, of Duluth; No. 551, of Viola; No. 543, of Paynesville; No. 626, of Thief River Falls; No. 2191, of St. Paul; No. 575, of Cloquet; No. 2197, of Cook; No. 351, of Welcome; No. 2184, of Bradford; No. 1560, of Browns Valley; No. 393, of Bird Island; No. 1511, of Fertile; No. 343, of Winthrop; No. 468, of Fergus Falls; No. 214, of Mapleton; and No. 1605, of Aurora, all of the Modern Brotherhood of America; of Local Camps No. 13, of St. Paul; No. 27, of Minneapolis; and No. 1, of St. Paul, Woodmen of the World, in the State of Minnesota, praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

Mr. FLINT presented a petition of the California Club, of San Francisco, Cal., praying that an investigation be made into the condition of dairy products, for the prevention and spread of tuberculosis, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Associated Chambers of Commerce of the Pacific Coast, praying that an appropriation be made for the widening and deepening of the channel at the Mare Island Navy Yard as a prerequisite to the establishment of a fleet on the Pacific coast, which was referred to the Committee on Commerce.

He also presented a petition of the Associated Chambers of Commerce of the Pacific Coast, praying for the cooperation of the United States Government and the representatives of all foreign Governments in procuring exhibits for the proposed Panama Canal Exposition, which was referred to the Committee on Industrial Expositions.

He also presented a memorial of the California State Fruit Growers' Convention, remonstrating against the free distribution of seeds by the Government, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying that an appropriation be made for the fortification of the harbor at Los Angeles, in that State, which was referred to the Committee on Military Affairs.

He also presented a petition of the Chamber of Commerce of Los Angeles, Cal., and a petition of the Chamber of Commerce of Humboldt, Cal., praying that an appropriation be made providing for the establishment of homes for United States ambassadors in foreign countries, which were referred to the Committee on Foreign Relations.

He also presented a petition of the State Society, Sons of the Revolution, of Arkansas, praying for the enactment of legislation providing for the printing of all the unpublished archives of the Government relating to the War of the Revolution, which was ordered to lie on the table.

Mr. BRIGGS presented memorials of the Monmouth County Farmers' Exchange, of the Board of Trade of New Brunswick, and of sundry organizations and citizens, all in the State of New Jersey, remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Wednesday Morning Club, of Cranford, N. J., praying for the enactment of legislation providing for an investigation into the condition of dairy products, for the prevention and spread of tuberculosis, which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of the Woman's Club of Orange, the Woman's Christian Temperance Union of Orange, the Charity Organization of Plainfield and North Plainfield, the New Jersey Child Labor Committee, and of sundry citizens, all in the State of New Jersey, praying for the passage of the so-called children's bureau bill, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Tome River, Asbury Park, Ocean City, Atlantic City, Angelsea, Wildwood, Barnegat, Cape May, Manahawaken, Deal, West End, Avon, Burlington, Absecon, Beach Haven, and Tuckerton, all in the State of New Jersey, praying for the enactment of legislation for the relief of the Life-Saving Service, which were referred to the Committee on Commerce.

Mr. DEPEW presented petitions of the congregations of the Congregational Church of West Groton, of the Presbyterian Church of Ludlowville, of the Methodist Episcopal Church of Ludlowville, and of the Methodist congregation of St. Johnsville, all in the State of New York, praying for the enactment of legislation to prohibit the interstate transmission of race-gambling bets, which were referred to the Committee on the Judiciary.

He also presented a petition of the executive council of the Church Federation of Men's Clubs of Cayuga County, N. Y., praying that an appropriation be made for the appointment of chaplains on the battleships of the Navy, which was referred to the Committee on Naval Affairs.

Mr. PERKINS presented a petition of sundry citizens of California, praying that San Francisco be selected as the site for the holding of the proposed Panama Canal Exposition, which was referred to the Committee on Industrial Expositions.

He also presented a petition of sundry citizens of California, praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of California, praying that an appropriation be made for the establishment of homes for United States ambassadors in foreign countries, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of California, praying that an appropriation be made for widening and deepening the channel at the Mare Island Navy Yard, as a prerequisite to the establishment of the fleet on the Pacific coast, which was referred to the Committee on Commerce.

He also presented the memorial of Mrs. Phoebe A. Hearst, vice regent of the Mount Vernon Ladies' Association from the State of California, remonstrating against the establishment of a criminal reformatory for the District of Columbia on what is known as the Belvoir tract or White House tract of land in Virginia, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Trades and Labor Council of Walla Walla, Wash., praying for the enactment of legislation authorizing the subdivision and sale of the abandoned Fort Walla Walla Military Reservation, which was referred to the Committee on Military Affairs.

He also presented a memorial of sundry citizens of California, remonstrating against the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of California, remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

Mr. SCOTT presented a memorial of C. C. Martin & Co., of Parkersburg, W. Va., and a memorial of the Alton Lumber Co., of Buckhannon, W. Va., remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Reno Post, No. 7, Grand Army of the Republic, Department of West Virginia, of Grafton,

W. Va., praying for the enactment of legislation to create a Civil War volunteer officers' retired list, which was referred to the Committee on Military Affairs.

He also presented a petition of Cabell Council, No. 196, Junior Order of United American Mechanics, of Huntington, W. Va., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented a memorial of sundry citizens of Wheeling, W. Va., remonstrating against the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

Mr. HALE presented a petition of the Conklin Class, of Portland, Me., praying for the enactment of legislation providing for an investigation into the condition of dairy products for the prevention and the spread of tuberculosis, which was referred to the Committee on Agriculture and Forestry.

Mr. RAYNER presented a petition of the Christian Endeavor Union of Baltimore, Md., praying for the enactment of legislation to prohibit the transmission of race-gambling bets, etc., which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Maryland, remonstrating against the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Trades and Labor Council of Walla Walla, Wash., praying for the enactment of legislation authorizing the subdivision and sale of the abandoned Fort Walla Walla Military Reservation, which was referred to the Committee on Military Affairs.

Mr. SHIVELY presented a petition of Sycamore Camp, No. 76, Woodmen of the World, of Wyatt, Ind., and a petition of the Associated Fraternities of America of Chicago, Ill., praying for the enactment of legislation providing for the admission of the publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Decatur and Campbellsburg, of Gross & Gross, of South Bend, and of sundry citizens of Summitville, all in the State of Indiana, praying for the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the Indiana State Teachers' Association, remonstrating against the enactment of legislation to extend to the District of Columbia the benefits of the Morrill Act, etc., which was referred to the Committee on the District of Columbia.

He also presented a memorial of the Ex-Soldiers and Sailors' Association of Elkhart, Ind., praying for the passage of the so-called per diem pension bill, which was referred to the Committee on Pensions.

He also presented a memorial of the Argonaut Club of Bloomington, Ind., and a memorial of Brewery Workers' Union No. 78, of Logansport, Ind., praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which were referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Central Labor Union of Elkhart, Ind., and a memorial of Golden Rule Council, No. 5, Junior Order United American Mechanics, of Winslow, Ind., praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

Mr. MARTIN. I present the memorial of Mrs. Charles B. Ball, vice regent of the Mount Vernon Ladies' Association for the State of Virginia, remonstrating against the location of a criminal reformatory for the District of Columbia on what is known as the Belvoir or White House tract of land, which is very near Mount Vernon. I move that the memorial and accompanying letter be referred to the Committee on the District of Columbia.

The motion was agreed to.

SENATOR FROM ILLINOIS.

Mr. BEVERIDGE. Mr. President, have we reached the order of reports of committees?

The VICE PRESIDENT. Reports of committees are now in order.

Mr. OWEN. Mr. President—

The VICE PRESIDENT. The Senator from Indiana [Mr. BEVERIDGE] is recognized.

Mr. BEVERIDGE. Mr. President, from the Committee on Privileges and Elections, I submit a minority report in the nature of a substitute and move its adoption, the motion, of course, going over for the present. I ask that the report may be read by the Secretary for the information of the Senate.

Mr. BAILEY. Mr. President, I suggest to the Senator from Indiana that under the rules of the Senate there is no such thing as "a minority report." There may be filed—and in this case the Senator reserved the right to file—the views of the minority. I suggest that the motion to substitute "views of the minority" for "report of the committee" can not be entertained by the Chair, for there is no such motion known to the rules of the Senate. I have no interest in this race of diligence between the two Senators, but I want the rules of the Senate observed.

Mr. BEVERIDGE. Mr. President, the Senator is in error, as he himself will admit, as to the universal practice of this body in the submission of minority reports. It is upon majority and minority reports that the discussion of important questions occurs. But this technical question is not material. Whether it be called "a minority report" or "the views of the minority," it is accompanied by conclusions of the minority and a resolution based thereon. I ask that the report be read.

The VICE PRESIDENT. May the Chair call the attention of the Senator from Indiana to the fact that the report is not signed?

Mr. BEVERIDGE. That omission, Mr. President, will be supplied; the signature will be attached.

I wish to say one word concerning the "race of diligence." There has been no "race of diligence" upon the part of the minority of the committee, but merely the execution of its duty at the regular time and under the regular standing orders of the Senate.

The VICE PRESIDENT. The Secretary will read by unanimous consent.

The Secretary read as follows:

[Senate Report, No. 942, part 3, Sixty-first Congress, third session.]

CHARGES RELATIVE TO ELECTION OF WILLIAM LORIMER.

I can not concur with the report of the majority of the committee.

To my mind the testimony is conclusive that far more than enough bribery was practiced in this election to invalidate the same, even under the Senate precedents upon which the majority rely.

THE FACTS.

The majority report itself declares that "four members of the general assembly testified to receiving money as a consideration for their votes." Each of these men did so testify repeatedly.

Senator Holstlaw testified that he received his money from his fellow senator, Broderick, at two different times, the first installment being \$2,500 and the second amount being \$700.

Representatives Beckemeyer, White, and Link testified to having received their money from their fellow representative and factional leader, Browne, and from Leader Browne's lieutenant, their fellow representative, Wilson.

Like Senator Holstlaw, these three representatives received their money also in two installments, the first being \$1,000 and the second \$900.

It is of corroborative importance that the dates when Senator Holstlaw received his two installments from his fellow senator, Broderick, are practically the same dates on which the house members received their two installments from their fellow representatives, Browne and Wilson.

Now comes an undisputed fact of conclusive force, although the majority report ignores it. These confessed bribe takers were shown to have had in their possession, in bills of large denominations, unusual sums of money soon after the dates when they swore to having received the same.

This fact is proved by the uncontradicted testimony of impartial and disinterested witnesses.

For example, on the very day that confessing bribe-taking Senator Holstlaw received his first installment of \$2,500 in currency of large denominations from his fellow senator, Broderick, in Chicago, he personally deposited that very amount in the State Bank of Chicago in currency of large denominations. This is proved by Mr. Newton, the cashier of the State Bank of Chicago, who personally received this \$2,500 from Holstlaw in currency of large denominations. It is proved by the bank's regular deposit slip formally showing this transaction.

Again, Representative White, under the same circumstances, was seen in possession of unusual sums of money in bills of large denominations. This is proved by the uncontradicted testimony of Miss Vandever, White's bookkeeper; Mr. Dennis, a business associate; and Mr. Kirkpatrick, an employee of the store where White deposited several hundred dollars. These three impartial witnesses saw the money and swear that it was in bills of large denominations.

Representative Beckemeyer, under the same circumstances, deposited \$500 in a bank at Belle Isle, Ill., although he did not live at Belle Isle and had to be identified at the bank. This is proved by the uncontradicted testimony of James Gray, a business man of Belle Isle, who identified Representative Beckemeyer at the bank at the latter's request.

Mr. Gray saw the money and swears that it was in bills of large denominations, twice mentioning a \$100 bill. The size of the bill, and indeed, the whole transaction, seems to have impressed Mr. Gray, for he asked Representative Beckemeyer where he got it.

The subcommittee refused to permit Mr. Gray to tell Mr. Beckemeyer's answer. It appears that two other gentlemen—Mr. Ford and Mr. Murray—would have testified to the same facts to which the committee would not permit Mr. Gray to testify, but under this ruling of the committee both Mr. Ford and Mr. Murray were abandoned as witnesses.

Of the four men who repeatedly testified to having received this bribe money, only Link was not shown to have been seen with the cash. But Link repeatedly testified under oath at various times that he did receive the same amounts of money under the same circumstances and at the same times and places where his fellow members received theirs. And this repeated testimony of Link's is corroborated as to circumstances by the testimony of the others.

The majority attack the confession under oath of these bribe takers upon various grounds. For example, the majority report says, or at

least strongly implies, that three of them were "compelled" or "driven" to make these sworn confessions because of their treatment by the officers of justice of Cook County and Sangamon County, Ill., who were investigating this and other transactions before the grand juries of those counties.

The majority lay great stress upon the testimony of bribe-taker Link, as to his treatment by State's Attorney Wayman and his assistants, State's Attorneys Arnold and Marshall, and the officers in charge of Link in connection with the grand-jury proceedings in Cook County, before which grand jury Link finally made his full confession under oath. The language of the majority suggests sympathy for Bribe-taker Link under this treatment and condemnation for the officers of justice whom Link says subjected him to it.

But Link's theatrical account of what he calls the "third degree" to which he was subjected is explained by the testimony of State's Attorney Wayman. For example, in the matter of being placed in the custody of an officer in Chicago and to and at his home afterwards, it actually appears that Link was very glad to have the officer with him for protection, if, indeed, Link himself did not ask that an officer be sent with him.

The men of whom Link most bitterly complains are Assistant State's Attorneys Arnold and Marshall, particularly the former. Yet the committee did not subpoena these officers of justice to give their account of Link's story, although they were residents of Chicago, in which the hearing was held.

The majority seem to think that the remarkable so-called third-degree story told by Link actually "compelled" him to testify to a falsehood in confessing his bribery both before the grand jury and before the subcommittee. If so, it was important that Arnold and Marshall should give their account. Yet they were not called. If not—if Link testified to the truth when he swore before the subcommittee, as well as before the grand jury, that he received this bribe money—why is the majority so concerned about Link's third-degree melodrama?

The majority report ignores one reason that Link repeatedly gave for denying that he met Browne and Wilson and got the bribe money from them. Link swears that he made this denial because he did not wish to get his "friends in trouble." Who were these friends whom Link was so afraid of "getting in trouble," that, to protect them as well as himself, he at first committed perjury by denying having met Browne and Wilson and getting money from them?

But after all, this phase of the case upon which the majority lays such emphatic emphasis is not material unless the Senate believes these confessed bribe takers did not tell the truth in their repeated statements under oath that they actually did receive this bribe money, but, on the contrary, that they were "compelled" or "driven," as the majority say, to this repeated perjury by the conduct of the State's attorney and his assistants.

What the Senate must determine is whether it believes, as a matter of fact, that these men actually did receive the money which they testified to having received, and large amounts of which were found in their possession in bills of large denominations about the time they testified to having received it. This is the question before us—not the conduct of the officers of justice.

Upon this point the testimony convinces me that "four members of the general assembly which elected Mr. LORIMER" who "testified to receiving money as a consideration for their votes," actually did receive such money.

If they actually did receive such money, from whom did they receive it? They testify that they received it from their fellow representative and factional leader, Browne, and his lieutenant; their fellow representative, Wilson; and from Broderick, the fellow senator of Holstlaw.

If they did receive it from these men, these three bribe givers are as guilty as the four bribe takers. In law bribery includes the giving as well as the receiving of bribes, and the bribers are equally culpable with the bribed. In morals these bribe givers are even more culpable than the bribe takers, because they were men of greater influence, intelligence, and force of character.

The majority report exonerates these three accused bribe givers upon the ground, chiefly, that they denied the accusation. What else did the majority expect these accused bribe givers to do except to deny that they gave the bribe? What else could they have done unless they, too, confessed?

Did the majority expect everybody concerned with these corrupt proceedings to confess?

Is bribe giving to be proved only by the sworn confession of the bribe givers? Is not the law settled, clear, and conclusive that bribery may be and often must be proved by circumstantial evidence?

It would be a rare case where any culprit could be convicted before a jury of bribery or conspiracy to bribe if the courts should take the view of the law taken by the majority of the committee.

Why did Browne take the long journey to St. Louis to meet his fellow members, who testified that they received their bribe money from Browne at St. Louis? Browne lived at the other end of the State. His excuse that he went to St. Louis to talk politics to these men is absurd. It had been hardly three weeks since he had seen them at the legislature in Springfield, where he had been in constant communication with them for months.

The campaign about which he says he went to see them did not occur for more than a year in the future. And having taken this long and disagreeable journey to meet these men in St. Louis about the campaign a year in the future, he remained there only between trains, arriving about 8 or 9 in the morning and leaving at noon.

The explanations of Wilson are fully as bad or worse. And Broderick had no explanation at all as to why Holstlaw, who never before had visited Broderick's saloon at Chicago, should come from his home in the country town of Iuka and go a mile and a half from the railroad station in Chicago to Broderick's saloon, which is across the bridge on the west side.

According to bribe-giver Broderick, bribe-taker Holstlaw merely came to Broderick's saloon in Chicago just to visit, without any reason whatever. Yet he had never done such a thing before. He never frequented saloons. On important points Broderick refused to testify on the ground that he might incriminate himself.

And note this: Both times that Holstlaw made these visits to the saloon of his fellow senator, Broderick, in Chicago, were about the same times that his fellow bribe takers were receiving bribe money from their fellow representatives, Browne and Wilson, in St. Louis.

The failure of these three witnesses, Browne, Wilson, and Broderick, to appear before the subcommittee at the time they were subpoenaed; the successful efforts made by his counsel to delay the testimony of Broderick; the explanation of Wilson and Browne as to their non-appearance are significant.

They are almost as unreasonable as are Browne and Wilson's grotesque excuses for their meeting the three bribe-taking representatives in St. Louis, or as Broderick's novel account of the bribe-taking Senator Holstlaw coming from his village home out in the State and unexpectedly visiting his saloon on the west side without any reason whatever.

In short, the testimony is overwhelming and conclusive, not only that four members of the general assembly who participated in this election were bribed, but that three of their fellow members of the general assembly paid them their money.

I am not able to follow the mental processes which can concede that these four bribe takers got their bribe money, and yet they did not receive it from their three fellow members whom the four bribe takers testified had paid it to them and whom it is conceded that the four bribe takers met under circumstances not reasonably explained.

If the confessed bribe takers did receive this bribe money, from whom did they receive it if not from their fellow members who admit having met the bribe takers when and where the latter testify that they did receive the bribe money from these accused bribe givers?

So the evidence convinces me that at least seven tainted votes were cast in this election.

But these seven votes, which under the statute and the precedents are enough to invalidate this election, were not all of the tainted votes cast in this putrid transaction. The testimony shows that at least three additional corrupt votes were cast—those of Clark, Shephard, and Luke.

While Shephard and Clark did not confess, and Luke, who is dead, could not confess, the evidence convicts them of having shared the plunder at the same times and places—from the same hands and for the same consideration as their fellow members who repeatedly testified to having received it, and who were afterwards shown to be in possession of it.

It is conceded that these three members, Clark, Shephard, and Luke, belonged to the faction and were the followers of their fellow representative and factional leader, Browne. It is conceded that all of them met Browne and his lieutenant, Wilson, by appointment in St. Louis at the same hotel and at the same time that the confessed bribe takers are conceded to have met Browne and Wilson.

Luke's wife testified that along about this time Luke came home and showed her \$950 in bills of large denominations, without saying where he got it. The committee declined to permit testimony as to Luke's statement concerning this money and his visit to St. Louis.

I think this ruling was in direct conflict with the ruling on the same point in the Clark case. Still, without this excluded testimony, the evidence, taken all together, shows that Luke got the money in the same amounts and from the same sources and in the same places at the same time that the confessed bribe takers got theirs.

Representative Shephard met his fellow representative and factional leader, Browne, and his fellow representative, Browne's lieutenant, Wilson, at St. Louis, at the same time, in the same room of the same hotel where his three fellow representatives who repeatedly confessed to having received this money from Browne and Wilson at those times and places.

The testimony shows that Wilson paid at least some of this bribe money to the bribe takers in the bathroom of his hotel room. Wilson swears that he, himself, was called into the bathroom by Wilson, and was there paid his second installment of \$900. White swears that he heard Wilson call Shephard into the same bathroom, from which they shortly emerged.

Shephard himself admits that he was there and that Wilson called him into the bathroom, but only to ask him the name of a lady Shephard dined with in Springfield almost two months before. Shephard admits having visited a safety-deposit box which he had rented in St. Louis the very same forenoon that he met Wilson at the hotel, and was called by Wilson into the bathroom.

Shephard's only excuse for visiting St. Louis on this interesting occasion was that he made the journey to get some packing for his automobile. This was a remarkable excursion for a banker and business man. We are asked to believe that Shephard's meeting with fellow representative, Wilson, at St. Louis at this lucrative conference was a pure accident, a mere coincidence.

Apparently the majority of the committee do so believe.

If we credit Shephard's testimony our indignant sympathy is aroused for this victim of one of these malign tangles of circumstances and events which sometimes entrap the most virtuous of men.

But regardless of whether or not Shephard got any money for his vote he was bribed to vote for LORIMER by the promise of influence concerning an office. This bribery was arranged and consummated between Shephard and LORIMER himself. Shephard himself declares that "rock-ribbed Democrat" as he was, the promise of LORIMER's influence concerning a post office was "the consideration" for his vote.

Of course, in law this is quite as much bribery as if LORIMER had paid him cash in hand. On this the authorities are unanimous.

Representative Clark also met his fellow representative and factional leader, Browne, and his fellow representative, Wilson, Browne's lieutenant, at St. Louis in the same room of the same hotel, at the same times that his fellow members who confessed to taking bribes at those times and places met Browne and Wilson. Also, like the others, Clark met Browne and Wilson in St. Louis at the latter's request.

But Mr. Clark says that he did not receive any money on either of these occasions. He sticks to the story that Browne did nothing but just talk on the first occasion. Browne says that this talk was about "politics." Clark says that his interview with Wilson on the second occasion was more or less miscellaneous. Yet both Browne and Wilson made long and uncomfortable trips for a brief period of such conversation with Clark.

It must be remembered that Clark was a police magistrate in a fair-sized country town. As such he was better schooled than his fellow members in the effectiveness of stout denial and persistent avoidance of damaging admissions. Indeed, we find Clark almost the firmest and cleverest of the conspirators who were resolving and arranging to stand pat in their denials.

Yet Clark, police magistrate of a country town, purchased diamonds during the session of the legislature, for which he paid after the legislature adjourned. Taken in connection with all the testimony in this case, the testimony of Clark himself convinces me that he was as guilty as the others.

If the Senate conclude that these three men, Luke, Shephard, and Clark, also received this bribe money we have 10 tainted votes cast in this election, or 4 more than enough to invalidate the same even under the precedents which the majority cite. With these 10 putrid votes I shall stop, although the evidence also entangles 1 other. So, if there were 10 votes, or even if only 7 votes were corrupt, what is their legal effect on the election involved?

THE LAW.

To elect, the statute in terms requires "a majority of all the votes of the joint assembly, a majority of all the members elected to both houses being present and voting." The number of votes that constituted the joint assembly that elected Mr. LORIMER was 202. "A majority of all" these votes was 102. Mr. LORIMER received 108, or 6 more than "a majority of all votes of said joint assembly."

But at least 7 of these were tainted. This leaves 101 votes for Mr. LORIMER, or 1 less than "a majority of all the votes of said joint assembly," as required by the specific words of the statute.

If to these 7 corrupt votes the Senate concludes that the 3 votes of Representatives Luke, Clark, and Shephard should be added, there were 104 tainted votes that went to make up the entire 108 that Mr. LORIMER received.

Deducting these 10 from this 108 leaves 98 untainted votes for Mr. LORIMER, or 4 less than "a majority of all the votes of said joint assembly."

All this is true, even admitting the soundness of the Senate precedents cited by the committee. These precedents are that no matter how many votes were bribed, yet if there was a majority of unbribed votes, the election is valid.

In the present case there was not an unbribed "majority of all the votes of said joint assembly." There was at least 1 vote less than an untainted majority. Including Clark, Shephard, and Luke as corrupt, there were 4 votes less than an untainted majority. So the election was invalid—it never legally occurred.

If it is said that these untainted votes must be expunged and considered as never having been cast, the answer is, in the words of the statute itself, that they were "present and voting."

The only reasonable and legal position is that those tainted votes actually were "present and voting," a part of the joint assembly; but because their votes were tainted they are not to be counted for the candidate for whom they corruptly voted. They were a part of the joint assembly present and voting because this was the case, but they are not to be counted for Mr. LORIMER, because they were bribed to vote for him.

This is the most restricted meaning that reasonably can be put on the statute and precedents. But I think the sound view is much broader. Not only should these votes be considered as "present and voting," which was the actual fact; not only must they be deducted from the vote cast for Mr. LORIMER because of their corruption, but also they must be added to the vote against Mr. LORIMER.

As I have shown above, it is not necessary to take this view in order to invalidate this election. I take it merely on principle as a matter of law when applied to this or any similar case.

All of these tainted votes were stanch partisans of the opposite party to Mr. LORIMER. For more than three months all of them steadily had voted either for the candidate of their party, nominated at their party's primaries by popular vote, or, at least, against any Republican. None of them voted for any Republican until the notable 26th of May, when all of them cast their votes suddenly for Mr. LORIMER upon the occasion of his election.

If they actually were bought to cast their votes for Mr. LORIMER, it follows that they would have continued to vote as they hitherto had done, either for the primary nominee of their own party or at least for some other member of their own party. Was it not for the very purpose of preventing them from so voting and inducing them to vote for Mr. LORIMER that they were bought? If not, for what purpose were they bought?

And were they bought if the buyers did not think their votes were necessary? Is it possible that large sums of money were spent to purchase votes that were not needed? Were thousands of dollars thrown away and the risk of the penitentiary incurred for nothing at all?

While, as I have shown, it is not necessary to a decision of this case, yet I challenge the Senate precedents cited by the majority that even though it be proven that any number of votes were bribed, yet if there were a majority of untainted votes the election can not be questioned.

If only one case of bribery be clearly established in the election of a Senator, I hold that this invalidates the entire election. In my opinion, one act of bribery makes the whole election foul.

In the language of my illustrious predecessor in this body, Senator Morton, "Bribery is to an election what fraud is to a contract."

It is said in defense of these precedents that it would be hard on a personally guiltless and successful candidate who had an honest majority if his election should be invalidated by votes corrupted in his behalf which were not enough in number to destroy his honest majority.

The clear answer is that it is harder on the people whose representative this candidate is to have any corrupt influences employed in his behalf.

We can not consider the personal fortunes or even feelings of a candidate in determining the law of election cases. The candidate is not on trial. The election is on trial. Was the election pure and free, or influenced and venal? The candidate is nothing; the people are everything. Or, rather, the candidate is nothing, except as the representative of the people.

Our business is to guard the purity of elections. Our concern is to permit no chances to be taken. Yet chances always are taken under these ill-considered precedents—dangerous chances. For if a number of corrupt votes are plainly proven to be such, it is reasonable to suppose that others were cast equally corrupt which could not be proven to be such. The law recognizes no more difficult task than that of proving bribery or conspiracy to bribe.

And would this untainted majority be cast if the uncorrupted votes positively knew of the bribery being practiced for the candidate for whom they voted? If honest members of a legislature innocently vote for a candidate for Senator for whom corrupt members of the legislature were bribed to vote, would these honest members have so voted had they known of this bribery? This simple illustration will prove convincingly the unsoundness of the precedents which I am assailing.

So I propose that we overthrow such unsound precedents and establish a new Senate precedent, that one act of bribery in the election of a Senator makes such an election void—makes an election foul.

The public welfare, the theory of free and fair elections, which it is our sole business to safeguard, and which is the reason and origin of the power we are now exercising, requires the establishment of this new Senate precedent.

We should in this case establish the law of the Senate in conformity with the ancient common law. We should declare that one act of bribery makes a whole election foul.

This pronouncement by the Senate of the United States would prevent an ambitious and wealthy candidate from perpetrating bribery

to make his election sure and doing it in such a way as to cover up his tracks. It would give a needed pause to corrupt interests that undertake to make the election of their favorites certain by corrupt practices. It absolutely would prevent overzealous friends, inspired by nothing but the heat of battle and devotion to their favorite, from undertaking to secure his success by infamous methods.

If we make a new Senate precedent that one act of bribery makes a whole election foul, we shall have an end of the amusing and overworked argument of the improper activities of too enthusiastic friends bribing voters for their favorite without any other motive than their fanatical and money-sacrificing devotion to him.

The time has arrived when we had much better take to heart the people's unsullied and uninfluenced representation than that we should continue to bemoan the possible fate of a virtuous candidate in whose behalf the heinous crime of bribery has been practiced, whether by venal interests or by well-intentioned but overzealous and financially affluent friends.

But waive this point. The evidence shows it is not necessary to a decision of this case. I advance it only because this body ought to establish now that one act of bribery invalidates an election.

And this suggests another untenable view heretofore suggested in election cases and which we should now decisively negative. This view is that a single act of bribery perpetrated or countenanced by a person elected to the Senate of the United States does not void the election, but only so taints such a person that he must be expelled. That is, if the sitting Senator personally perpetrated or countenanced bribery to secure his election his seat can not be vacated by a majority vote, but he must be expelled by a two-thirds vote.

I think it clear that this view is wrong. The argument for it is that the bribing Senator is guilty only of a moral defect which renders him unfit to be a member of this body.

It is as if such a Senator had a contagious disease such as smallpox, or that he was dangerously insane, or that he had committed treason, and yet, in any of these cases, insisted upon sitting among us. In any of these cases or others that may suggest themselves such a member may be expelled, but only by a two-thirds vote.

The reason a two-thirds vote was provided in the Constitution to expel a Member was that the mental, moral, or physical defect should be so unquestionable that two-thirds of this body would be impelled to vote for expulsion.

And yet it is upon these grounds and these only that the argument is made that a Senator guilty or knowing of bribery in his election must be expelled by a two-thirds vote rather than his election invalidated by a majority vote.

This position is so dangerous to the public welfare, so contrary to public policy, so abhorrent to reason and repugnant to justice, that I repudiate and challenge it.

For conceding that an elected Senator had a majority of perfectly honest votes, would they have so cast their votes if they had known that the candidate was bribing other votes?

Let me put an illustration personally to each Senator here. Suppose that we are electing some man to some office within our gift. Suppose that all but one of us were honest and earnest in our intended votes for this man. But suppose that just before our vote we discovered that he had bribed or countenanced the bribery of one of our number. Would a single one of us with such knowledge vote for the man for whom until that moment we had intended to vote? Of course not.

So it is that one act of bribery perpetrated or countenanced by any Senator to secure his election vitiates the same. It does not necessitate an act of expulsion requiring a two-thirds vote, but a resolution requiring a majority vote invalidating the election.

Was Mr. LORIMER informed of what was going on in his behalf? While not necessary to a decision of this case, the evidence and circumstances require the Senate to consider this point.

From his speech on this case in this body it appears that Mr. LORIMER is a seasoned politician of nearly 30 years' experience in practical politics in one of the greatest cities of the country and of the world—a superb organizer who gives attention to the very smallest details of any election.

Mr. LORIMER was on the ground during practically the whole session of this legislature. He was there principally for the purpose of defeating the will of the voters of his party as declared in the primary. He was the "intimate" friend of the leader of the opposite party, Mr. Browne, and had been such for years.

It appears that Mr. LORIMER himself finally developed as a solution of the deadlock which he had precipitated to defeat the decree of the primaries of his own party. To secure his election, he absolutely required the votes of large numbers of members of the general assembly from the opposite party.

His "intimate" friend for years, Mr. Browne, who was the leader of the minority and the captain of a faction, became his needed assistant.

But even Browne, the chief of a minority faction, declined to permit the votes of his faction to go to Mr. LORIMER unless Browne could be assured that with the votes Browne might get Mr. LORIMER could get enough others certainly to elect him.

With this understanding and for this purpose the two "intimate" friends, Browne and LORIMER, worked together for at least 10 days or two weeks. During this time they were in repeated and almost continuous conference, night as well as day, and both were seasoned practical politicians.

If we believe that anybody at all was bribed, the testimony shows that it was during these fateful 10 days or two weeks that the bribery was arranged. If we believe that anybody at all was bribed, the evidence shows that Browne was the chief instrument of bribery.

Taking these things all together, did everything occur that the evidence shows to have occurred without Mr. LORIMER's knowledge?

Even if the corruption fund came from sources higher up, did those exalted sources of iniquity pass by Mr. LORIMER, whom they were trying to elect with this putrid money without his knowing a thing about it?

In law Mr. LORIMER must be held to have knowledge of these transactions in his behalf.

If so, I contend that his election is invalid upon this ground. If Senators believe that he knew and countenanced a single act of bribery we need not conclude that we must expel him by a two-thirds vote. We need only to conclude that his election was invalid and so declare by a majority vote.

But for the purpose of this particular case it is not necessary to raise the question of Mr. LORIMER's knowledge of any bribery in his behalf. I raise it only because personally I want to go on record against the proposition hitherto advanced, that an act of bribery by a successful candidate does not invalidate his election, but only taints the successful candidate himself.

I conclude that this election was invalid under any possible view of the law. If the Senate so concludes, it is our duty to so declare. Therefore I submit the following resolution (S. Res. 315):

Resolved, That WILLIAM LORIMER was not duly and legally elected to a seat in the Senate of the United States by the legislature of the State of Illinois."

Mr. BAILEY. Mr. President, I shall not press the point of order which I barely suggested a while ago, but I want it understood that this is not to become a precedent under which any Senator may assert the right, without permission of the Senate, to file a minority report. I repeat what I said a moment ago, that there is no such thing under the rules of the Senate as a minority report. The Senator from Indiana submits this matter under the rule which calls for reports from committees, but obviously this is not a report from a committee.

I had supposed, until I hurriedly examined the RECORD, that the Senator from Indiana obtained the permission of the Senate to submit this matter, but on examining the RECORD I find that he did not obtain the permission of the Senate. He simply said to the Senate that he reserved the right to do these things. But he had no right to reserve.

Merely for the sake of avoiding a precedent that might come back to plague us some time, I make this statement; but I think it desirable that the Senate shall have the benefit of everything that can be said or that can be written on this subject, and consequently I offer no objection to the presentation of this document.

Mr. GALLINGER. Regular order!

Mr. CRAWFORD. Will the Senator permit me just a word? The VICE PRESIDENT. The Senator from South Dakota.

Mr. CRAWFORD. I was called from the Chamber, and I simply desire to announce that to-morrow at the conclusion of the morning business I shall make some remarks on this case.

Mr. GALLINGER. Regular order!

The VICE PRESIDENT. Reports of committees are in order.

Mr. BEVERIDGE subsequently said: Mr. President, I ask permission to request unanimous consent that the report which I presented, and which was read, may be printed as a public document for the use of the Senate, as the report of the committee was printed, and that a thousand copies thereof be printed.

The VICE PRESIDENT. Is there objection to the request of the Senator from Indiana? The Chair hears none, and it is so ordered.

REPORTS OF COMMITTEES.

Mr. WARREN, from the Committee on Military Affairs, to which was referred the bill (S. 9375) to correct the military record of First Lieut. Ralph S. Keyser, United States Marine Corps, asked to be discharged from its further consideration and that the bill and accompanying papers be referred to the Committee on Naval Affairs, which was agreed to.

Mr. CARTER, from the Committee on Irrigation and Reclamation of Arid Lands, to which was referred the bill (S. 9150) providing for the discovery, development, and protection of streams, springs, and water holes in the desert and arid public lands of the United States, for rendering the same more readily accessible, and for the establishment of and maintenance of signboards and monuments locating the same, asked to be discharged from its further consideration and that the bill and accompanying papers be referred to the Committee on Public Lands, which was agreed to.

Mr. MARTIN, from the Committee on Commerce, to which was referred the bill (H. R. 26583) to authorize the city of Drayton, N. Dak., to construct a bridge across the Red River of the North, reported it without amendment.

He also, from the same committee, to which was referred the bill (S. 9552) to authorize the construction of a bridge across St. John River, Me., reported it without amendment and submitted a report (No. 944) thereon.

HEARINGS BEFORE COMMITTEE ON PRIVILEGES AND ELECTIONS.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 309, submitted by Mr. BURROWS on December 16, 1910, reported it without amendment and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Privileges and Elections be, and is hereby, authorized to employ a stenographer from time to time, as may be necessary, to report such hearings as may be had on bills or other matters pending before said committee during the Sixty-first Congress, and to have the same printed for its use, and that such stenographer be paid out of the contingent fund of the Senate.

MISSISSIPPI RIVER DAM.

Mr. NELSON. I am directed by the Committee on Commerce, to which was referred the bill (H. R. 25775) to authorize the Great Northern Development Co. to construct a dam across the

Mississippi River from a point in Hennepin County to a point in Anoka County, Minn., to report it favorably without amendment. This is a local bill, it is very short, and I ask for its present consideration.

The VICE PRESIDENT. The bill will be read for the information of the Senate.

The Secretary read the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. BURTON. I should like to inquire what river it is.

The VICE PRESIDENT. The Mississippi River.

Mr. NELSON. It is one of the items that was in the omnibus bill last year to which there was no objection.

Mr. BURTON. It is not the St. Croix River?

Mr. NELSON. No; it is at Coon Creek, above Minneapolis.

Mr. BURTON. It is one of those reported upon in the general bill that passed the Senate?

Mr. NELSON. Yes, sir; but it is not one of the proposed dams that was objected to.

Mr. BURTON. I take it that it has the restrictions referred to in the general bill.

Mr. NELSON. Certainly, it has.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ST. JOSEPH RIVER DAM AT STURGIS, MICH.

Mr. SMITH of Michigan. I am directed by the Committee on Commerce, to which was referred the bill (H. R. 6867) to authorize the city of Sturgis, Mich., to construct a dam across the St. Joseph River, to report it favorably without amendment. I desire to say that this bill is of the same character as the bill just reported by the Senator from Minnesota [Mr. NELSON], and I make the same request that he did, for its immediate disposition. I ask unanimous consent that the bill be now considered.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHINESE SUBJECTS AS STUDENTS AT MILITARY ACADEMY.

Mr. WARREN. I am directed by the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 131) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point two Chinese subjects, to be designated hereafter by the Government of China, to report it favorably without amendment, and I submit a report (No. 943) thereon. I ask unanimous consent for the present consideration of the joint resolution.

The VICE PRESIDENT. Is there objection to the request of the Senator from Wyoming?

Mr. HEYBURN. Mr. President, I would, with the unanimous consent of the Senate, like to ask a question. Does China admit American students into her war colleges?

Mr. WARREN. She has no war college, but she has afforded every courtesy that this Government has asked of her.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. HALE. Mr. President, I wish the Senator who has reported this joint resolution from his committee would inform the Senate as to what is the general policy that the committee favors in admitting to the privileges of our Military Academy students from foreign powers, foreign peoples, foreign countries. It is my impression, Mr. President, that under the rule or practice of what is called courtesy we have gone to the limit in admitting students, young men, and giving them all the privileges of education and every advantage that is to be gained from observation, to both of the academies—that at West Point and that at Annapolis. I do not perceive that in any of these cases—and the question of the Senator from Idaho [Mr. HEYBURN] discloses that—that any corresponding benefit is derived by us.

I should be glad if the Senator who reported this joint resolution would tell us what is the plan of his committee—how far this is to go, to what foreign people it extends, and whether there is to be, under the practice of international courtesy, the development of a plan of education for these young men from other nations by our academies.

Mr. WARREN. Mr. President, I will say that there is no law, and perhaps no established plan, respecting admittance of foreigners as students in the West Point and Annapolis Academies; it is merely a matter of courtesy. So far as the members of the Military Committee are concerned, they have only fa-

vored these requests by their indorsement when, first, a foreign government has solicited the courtesy from our Government and the State Department has recommended it, and later the War Department has signified its willingness to accept the foreigner as a student. In an official communication, addressed to the Committee on Military Affairs by the Secretary of War, it was asked that the privilege be extended by legislation permitting the President to designate not exceeding two new students from China for each academic year. The committee has not felt willing to go that far, and so has recommended that there may be two students only admitted for instruction from China, to be designated by that Government. After their course of instruction is completed their places may or may not be filled by other Chinese students, as may seem best. At present there are no students at West Point from the Empire of China. There have been heretofore, but they have been graduated. So far we have never admitted at West Point more than two foreigners from any one country at any one time, and only from those Governments that have, as I say, requested it and are on the best terms with this Government, mainly the South American countries; and it has been restricted, as I said before, so as never to exceed two from any one country. Seldom more than one from any one country is admitted. There are now only five foreigners altogether undergoing instruction at West Point.

The matter is treated at all times as a courtesy. There is no precedent sought to be established. We have at various times denied requests for the admittance of more than two from the same country, the committee not thinking it best to admit a greater number. I think that such countries as may have facilities for military training not equal to ours—for no country pretends to have facilities equal to those provided at Annapolis or West Point—have always been ready, upon the request of our State Department, to give us the benefit of such facilities as they have.

Mr. LODGE. I will say, Mr. President, that that was done in regard to our students of naval construction in England. I happen to recall that instance.

Mr. WARREN. Yes; and we now have an Army officer detailed at the French Cavalry School at Saumur and another at the Imperial Military Riding School at Hanover, Germany. Officers have been detailed by the War Department from time to time, for many years, to attend the Government schools of foreign countries for the purpose of perfecting themselves in the military profession. As early as 1839 officers were sent to France for this purpose, and many have been sent there since. In addition to the schools at Saumur and Hanover, officers have received instruction at the Artillery School of Fire, Jüterbog, Germany; at the Ecole de l'Intendance, Paris; at the Army Service Corps School of Instruction, Aldershot, England; at the British Army Medical School, London, and at several other foreign military schools; and no doubt the foreign Governments would grant such privileges just as readily to civilians as they do to our young Army officers if they should receive such requests through our State Department.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. HEYBURN. Mr. President, I ask that it go over.

The VICE PRESIDENT. Objection is made and the joint resolution goes to the calendar.

If there be no further reports of committees, the introduction of bills and joint resolutions is in order.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HALE:

A bill (S. 9809) to amend and correct the military record of Thomas Decker; to the Committee on Military Affairs;

A bill (S. 9810) granting an increase of pension to Thomas Thessia;

A bill (S. 9811) granting an increase of pension to George F. French;

A bill (S. 9812) granting an increase of pension to Albert Littlefield (with accompanying papers); and

A bill (S. 9813) granting an increase of pension to Susan E. Garland (with accompanying papers); to the Committee on Pensions.

By Mr. BURKETT:

A bill (S. 9814) granting an increase of pension to O. L. Cady; and

A bill (S. 9815) granting an increase of pension to James Mitchell; to the Committee on Pensions.

By Mr. FLINT:

A bill (S. 9816) to establish a bureau of national parks, and for other purposes;

A bill (S. 9817) to provide for the granting by the Secretary of the Interior of permits to prospect for oil and gas upon mineral lands of the United States and of leases of public lands for the production of oil and gas after discovery;

A bill (S. 9818) to protect the locators in good faith of oil and gas lands who shall have effected an actual discovery of oil or gas on the public lands of the United States, or their successors in interest; and

A bill (S. 9819) granting to the city and county of San Francisco, Cal., rights of way in and through certain public lands of the United States in California; to the Committee on Public Lands.

A bill (S. 9820) granting an increase of pension to William H. H. Ranger; to the Committee on Pensions.

By Mr. SCOTT:

A bill (S. 9821) for the relief of E. C. McNeil, administrator of the estate of Paul McNeil, deceased; to the Committee on Claims.

A bill (S. 9822) directing the Secretary of War to convey the outstanding legal title of the United States to sublots Nos. 31, 32, and 33 of original lot No. 3, square No. 80, in the city of Washington, D. C. (with accompanying paper); to the Committee on the District of Columbia.

A bill (S. 9823) granting an increase of pension to James B. Davis (with accompanying papers);

A bill (S. 9824) granting an increase of pension to Henry Harris (with accompanying papers);

A bill (S. 9825) granting an increase of pension to George A. Greenlee (with accompanying paper);

A bill (S. 9826) granting an increase of pension to Israel Dotson (with accompanying papers);

A bill (S. 9827) granting an increase of pension to Isaac Cutright (with accompanying papers); and

A bill (S. 9828) granting an increase of pension to James Barr (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 9829) for the relief of G. M. Baum (with accompanying papers); to the Committee on Naval Affairs.

A bill (S. 9830) for the erection of an American Indian memorial and museum building, Washington, D. C.; to the Committee on Indian Affairs.

A bill (S. 9831) for the relief of Angeline Gray; to the Committee on Claims.

A bill (S. 9832) granting an increase of pension to Jeremiah H. Taylor (with accompanying papers);

A bill (S. 9833) granting an increase of pension to Elijah Monroe (with accompanying papers);

A bill (S. 9834) granting an increase of pension to Francis Marion Davis (with accompanying papers);

A bill (S. 9835) granting an increase of pension to Thomas Burgess (with accompanying papers);

A bill (S. 9836) granting an increase of pension to A. J. Jenkins (with accompanying papers);

A bill (S. 9837) granting an increase of pension to William Amsbury (with accompanying papers);

A bill (S. 9838) granting an increase of pension to Daniel W. Cline (with accompanying papers);

A bill (S. 9839) granting an increase of pension to J. C. Mercer (with accompanying papers);

A bill (S. 9840) granting an increase of pension to Joseph C. Kitchen (with accompanying papers);

A bill (S. 9841) granting an increase of pension to Leopold Fessler (with accompanying papers);

A bill (S. 9842) granting a pension to Malinda Logsdon (with accompanying papers);

A bill (S. 9843) granting an increase of pension to Nathan Wakefield (with accompanying papers);

A bill (S. 9844) granting an increase of pension to Isaac M. Couch (with accompanying papers);

A bill (S. 9845) granting an increase of pension to William W. Spawr (with accompanying papers);

A bill (S. 9846) granting an increase of pension to Tillman Sutiles (with accompanying papers); and

A bill (S. 9847) granting a pension to Isabel G. Brown (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 9848) regulating leave of absence for postal employees;

A bill (S. 9849) to provide for a postal note;

A bill (S. 9850) to authorize the board of trustees of the Postal Savings System to rent quarters for a central office in the city of Washington, D. C.; to the Committee on Post Offices and Post Roads.

A bill (S. 9851) to provide for the purchase of a site and the erection of a public building thereon at Lock Haven, in the State of Pennsylvania (with accompanying paper); to the Committee on Public Buildings and Grounds.

A bill (S. 9852) granting an increase of pension to John G. Heberling;

A bill (S. 9853) granting an increase of pension to Charles N. Sheetz;

A bill (S. 9854) granting an increase of pension to David Headman;

A bill (S. 9855) granting an increase of pension to Hiram Ferrier;

A bill (S. 9856) granting an increase of pension to John H. Wood;

A bill (S. 9857) granting an increase of pension to Ezra M. Northup;

A bill (S. 9858) granting an increase of pension to Cerelle Shattuck;

A bill (S. 9859) to increase the pensions of the blind who served in the war with Mexico and the Civil War;

A bill (S. 9860) granting an increase of pension to Augustus G. Winslow (with accompanying papers);

A bill (S. 9861) granting an increase of pension to James M. Chambers (with accompanying papers);

A bill (S. 9862) granting an increase of pension to William Galligan (with accompanying paper); and

A bill (S. 9863) granting an increase of pension to Honora A. Williams (with accompanying papers); to the Committee on Pensions.

By Mr. PILES:

A bill (S. 9864) to authorize the Controller Railway & Navigation Co. to construct two bridges across the Bering River in the Territory of Alaska, and for other purposes; to the Committee on Commerce.

A bill (S. 9865) granting permission to Arthur Adkins to reenlist in the United States Army (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 9866) granting a pension to Arthur F. Shepherd (with accompanying papers);

A bill (S. 9867) granting a pension to Mary C. Galbraith (with accompanying papers); and

A bill (S. 9868) granting a pension to William P. Armstrong (with accompanying papers); to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 9869) granting a pension to Sarah A. Perkins (with accompanying paper);

A bill (S. 9870) granting an increase of pension to Clarence E. Bullard (with accompanying paper); and

A bill (S. 9871) granting an increase of pension to Ira Hakes (with accompanying papers); to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 9872) granting an increase of pension to James W. Lindsey; to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 9873) to create a tariff commission; and

A bill (S. 9874) to refund to the Gate of Heaven Church, South Boston, Mass., duty collected on stained glass windows (with accompanying papers); to the Committee on Finance.

By Mr. GALLINGER:

A bill (S. 9875) to incorporate the National Association for the Study and Prevention of Tuberculosis;

A bill (S. 9876) to provide for punishment for larceny of public property from the Workhouse and the Reformatory of the District of Columbia (with accompanying paper);

A bill (S. 9877) to authorize the widening and extension of Minnesota Avenue from Pennsylvania Avenue SE. to its present terminus near Eastern Avenue, and for other purposes (with accompanying papers); and

A bill (S. 9878) to authorize the extension of Grant Street NE. and Deane Avenue NE., in the District of Columbia, from Minnesota Avenue to Fifty-eighth Street (with accompanying papers); to the Committee on the District of Columbia.

A bill (S. 9879) granting an increase of pension to Abner B. Crombie (with accompanying papers);

A bill (S. 9880) granting an increase of pension to Alden S. Wood (with accompanying papers); and

A bill (S. 9881) granting an increase of pension to William H. H. Patch (with accompanying papers); to the Committee on Pensions.

Mr. CULLOM. At the request of former Senator Mason, of Illinois, I introduce a bill, which I ask may be read twice by its title and referred to the Committee on the Judiciary.

The bill (S. 9882) providing for a system of probation for adults and minors in the courts of the United States, and authorizing such courts to suspend the execution of sentence in certain cases, and for the appointment and compensation of probation officers, was read twice by its title and referred to the Committee on the Judiciary.

By Mr. CULLOM:

A bill (S. 9883) for the promotion of Capt. Lewis D. Greene, of the Regular Army of the United States; to the Committee on Military Affairs.

A bill (S. 9884) granting an increase of pension to Frederick Scheer (with accompanying papers);

A bill (S. 9885) granting a pension to Melinda E. Chase (with accompanying papers);

A bill (S. 9886) granting an increase of pension to Mary Ann Duffy (with accompanying papers);

A bill (S. 9887) granting an increase of pension to Daniel C. Grover (with accompanying papers); and

A bill (S. 9888) granting an increase of pension to James J. Poyner (with accompanying papers); to the Committee on Pensions.

By Mr. FRYE:

A bill (S. 9889) providing for the reimbursement of certain employees of the Lighthouse Service for relief furnished to shipwrecked persons;

A bill (S. 9890) authorizing the exchange of a right of way to the light station at Chequamegon Point, Wis.;

A bill (S. 9891) relating to the expenditure of an appropriation for the raising of the North Point Light Station, Wis.;

A bill (S. 9892) providing for the disposition of moneys recovered on account of injury or damage to lighthouse property;

A bill (S. 9893) to authorize the Secretary of Commerce and Labor to purchase certain lands for lighthouse purposes; and

A bill (S. 9894) to amend the laws relating to the shipment and discharge of American seamen; to the Committee on Commerce.

A bill (S. 9895) for the relief of John W. Whalen; to the Committee on Naval Affairs.

A bill (S. 9896) granting an increase of pension to Lizzie U. Ricker (with accompanying papers);

A bill (S. 9897) granting an increase of pension to Charles E. Handy (with accompanying papers);

A bill (S. 9898) granting an increase of pension to Sumner R. Tarbox (with accompanying papers);

A bill (S. 9899) granting an increase of pension to Ivory W. Emerson (with accompanying papers);

A bill (S. 9900) granting a pension to Mary A. Chick (with accompanying papers); and

A bill (S. 9901) granting an increase of pension to James M. Lowell (with accompanying papers); to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 9902) for the construction of a chapel in or near the military reservation within Yellowstone National Park;

A bill (S. 9903) to authorize the Sheridan Railway & Light Co. to construct and operate railway, telegraph, telephone, and trolley lines through the Fort Mackenzie Military Reservation, and for other purposes; and

A bill (S. 9904) granting certain rights of way on the Fort D. A. Russell Military Reservation at Cheyenne, Wyo., for railroad and county road purposes; to the Committee on Military Affairs.

A bill (S. 9905) granting an increase of pension to Susan R. Lovell (with accompanying papers); to the Committee on Pensions.

By Mr. MARTIN:

A bill (S. 9906) for the relief of Mary Eliza Woodhouse; and

A bill (S. 9907) for the relief of William Crosby; to the Committee on Claims.

A bill (S. 9908) granting a pension to George E. Harrison (with accompanying papers); to the Committee on Pensions.

A bill (S. 9909) to change the name of the Public Health and Marine-Hospital Service to the Public Health Service, to increase the pay of officers of said service, and for other purposes; to the Committee on Commerce.

By Mr. DU PONT:

A bill (S. 9910) granting an increase of pension to Jacob Pinkett;

A bill (S. 9911) granting an increase of pension to Joshua S. Fisher (with accompanying papers);

A bill (S. 9912) granting an increase of pension to William Reilly (with accompanying papers); and

A bill (S. 9913) granting an increase of pension to James B. West (with accompanying papers); to the Committee on Pensions.

By Mr. GUGGENHEIM:

A bill (S. 9914) to provide for the appointment of one additional district judge in and for the district of Colorado; to the Committee on the Judiciary.

A bill (S. 9915) to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of diseases of potatoes known as black scab and wart disease, and for other purposes; to the Committee on Agriculture and Forestry.

A bill (S. 9916) granting an increase of pension to Ruth Ann Baird (with accompanying papers);

A bill (S. 9917) granting an increase of pension to William J. Benton (with accompanying papers);

A bill (S. 9918) granting an increase of pension to Daniel Clark (with accompanying papers);

A bill (S. 9919) granting an increase of pension to Lizzie H. Dole (with accompanying papers);

A bill (S. 9920) granting an increase of pension to Robert G. Edgar (with accompanying papers);

A bill (S. 9921) granting an increase of pension to Frank L. Fisher (with accompanying papers);

A bill (S. 9922) granting an increase of pension to John Roy (with accompanying paper);

A bill (S. 9923) granting an increase of pension to W. P. Thompson (with accompanying papers);

A bill (S. 9924) granting an increase of pension to Samuel Walker (with accompanying papers);

A bill (S. 9925) granting an increase of pension to Thomas A. Withrow (with accompanying papers);

A bill (S. 9926) granting an increase of pension to Oscar White (with accompanying papers);

A bill (S. 9927) granting an increase of pension to Patrick Wallace (with accompanying papers);

A bill (S. 9928) granting an increase of pension to Tomas Escobado (with accompanying papers);

A bill (S. 9929) granting an increase of pension to James F. Farnsworth (with accompanying papers);

A bill (S. 9930) granting an increase of pension to William Fullerton (with accompanying papers);

A bill (S. 9931) granting an increase of pension to John R. Long (with accompanying papers);

A bill (S. 9932) granting an increase of pension to Uriah J. Loop (with accompanying papers);

A bill (S. 9933) granting an increase of pension to Frank M. Osgood (with accompanying papers); and

A bill (S. 9934) granting an increase of pension to Shepard Goodwin Patrick (with accompanying papers); to the Committee on Pensions.

By Mr. BURNHAM:

A bill (S. 9935) authorizing a parcels-post service on rural routes; to the Committee on Post Offices and Post Roads.

A bill (S. 9936) granting an increase of pension to Henry A. Marsh;

A bill (S. 9937) granting an increase of pension to Wright T. Ellison;

A bill (S. 9938) granting an increase of pension to Daniel W. Eaton; and

A bill (S. 9939) granting an increase of pension to Benjamin T. Stevens; to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 9940) to correct the military record of John C. Barrett; and

A bill (S. 9941) to correct the military record of John L. O'Mara and grant him an honorable discharge; to the Committee on Military Affairs.

A bill (S. 9942) granting an increase of pension to Henry A. Addleman;

A bill (S. 9943) granting an increase of pension to William Means;

A bill (S. 9944) granting an increase of pension to William M. Fairman;

A bill (S. 9945) granting an increase of pension to Clara M. Murray;

A bill (S. 9946) granting an increase of pension to Adams T. Murphy;

A bill (S. 9947) granting an increase of pension to John S. Smith; and

A bill (S. 9948) granting an increase of pension to Helen J. G. Reilly (with accompanying paper); to the Committee on Pensions.

By Mr. DEPEW:

A bill (S. 9949) to provide for the entry under bond of exhibits of arts, sciences, and industries; to the Committee on Finance.

A bill (S. 9950) granting a pension to Abram W. De Kroyft (with accompanying papers); and

A bill (S. 9951) granting an increase of pension to Ada W. Smith (with accompanying papers); to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 9952) granting a pension to Adelaide A. West (with accompanying papers); and

A bill (S. 9953) granting an increase of pension to Nelson Beach (with accompanying papers); to the Committee on Pensions.

A bill (S. 9954) for the relief of Lincoln C. Andrews (with accompanying papers); to the Committee on Claims.

By Mr. NELSON:

A bill (S. 9955) to provide for the leasing of coal and coal lands in the Territory of Alaska;

A bill (S. 9956) authorizing the question of the validity of certain coal-land entries in Alaska to be tried and determined by the court of appeals of the District of Columbia;

A bill (S. 9957) to authorize the sale of burnt timber on the public lands, and for other purposes; and

A bill (S. 9958) to provide for appeals from decisions of the Secretary of the Interior to the court of appeals of the District of Columbia, and for other purposes; to the Committee on Public Lands.

A bill (S. 9959) to amend an act entitled "An act to protect the seal fisheries of Alaska, and for other purposes," approved April 21, 1910; to the Committee on the Conservation of National Resources.

By Mr. CARTER:

A bill (S. 9960) for the relief of Mary A. Molloy, sole heir of Thomas N. Molloy, deceased, late United States consul at St. Johns, Newfoundland; to the Committee on Claims.

A bill (S. 9961) authorizing the disposition of water under the reclamation act for commercial and other purposes; to the Committee on Irrigation and Reclamation of Arid Lands.

A bill (S. 9962) authorizing the conveyance to Miles City, Mont., of 320 acres of the Fort Keogh Military Reservation to compensate said city for expenditures heretofore made and to facilitate improvements for the protection of the city against flood waters of Tongue River; to the Committee on Military Affairs.

A bill (S. 9963) authorizing the allotment of the lands of the Fort Belknap Indian Reservation in Montana, and for other purposes; to the Committee on Indian Affairs.

By Mr. NIXON:

A bill (S. 9964) reimbursing Dwight A. Dawson, postmaster at Reno, Nev., for loss of registered remittance containing \$248.81 (with accompanying papers); to the Committee on Post Offices and Post Roads.

A bill (S. 9965) to place Luther Sage Kelly upon the retired list of the Army; to the Committee on Military Affairs.

A bill (S. 9966) granting a pension to Alice O. Lord (with accompanying paper); to the Committee on Pensions.

By Mr. DICK:

A bill (S. 9967) to amend section 1 of an act of May 30, 1908, entitled "An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment" (with accompanying paper); to the Committee on Mines and Mining.

A bill (S. 9968) for the relief of the estate of the late John W. Clous; to the Committee on Claims.

By Mr. SMOOT:

A bill (S. 9969) to establish a bureau of national parks, and for other purposes; to the Committee on Public Lands.

A bill (S. 9970) to provide for the refunding of certain moneys illegally assessed and collected in the district of Utah (with accompanying papers); to the Committee on Finance.

A bill (S. 9971) granting an increase of pension to Allen Russell (with accompanying paper); and

A bill (S. 9972) granting an increase of pension to John McCune (with accompanying papers); to the Committee on Pensions.

By Mr. PURCELL:

A bill (S. 9973) granting an increase of pension to John Foran; to the Committee on Pensions.

By Mr. FOSTER:

A bill (S. 9974) granting an increase of pension to James W. Bodley (with accompanying papers); to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 9975) to extend the laws to regulate commerce and the authority and jurisdiction of the Interstate Commerce Commission to and over Alaska; to the Committee on Interstate Commerce.

A bill (S. 9976) granting an increase of pension to Theodore F. Colgrove; to the Committee on Pensions.

By Mr. STONE:

A bill (S. 9977) for the relief of the estate of James McGuire;

A bill (S. 9978) for the relief of the heirs of John A. Winn, deceased; and

A bill (S. 9979) for the relief of the heirs of Mark Beamer, deceased; to the Committee on Claims.

A bill (S. 9980) granting an increase of pension to James G. Durham (with accompanying papers);

A bill (S. 9981) granting an increase of pension to Margaret C. Dougherty (with accompanying papers);

A bill (S. 9982) granting an increase of pension to Thomas Lauderback (with accompanying papers);

A bill (S. 9983) granting a pension to Frank Castro (with accompanying papers);

A bill (S. 9984) granting an increase of pension to Caroline Kirchner;

A bill (S. 9985) granting a pension to Amanda E. Story;

A bill (S. 9986) granting an increase of pension to Asa Blanchard; and

A bill (S. 9987) granting a pension to Celestine Moreau (with accompanying paper); to the Committee on Pensions.

By Mr. OVERMAN:

A bill (S. 9988) for the relief of Chalmers G. Hall; to the Committee on Military Affairs.

By Mr. BRISTOW:

A bill (S. 9989) granting an increase of pension to Darius Wells; and

A bill (S. 9990) granting an increase of pension to Aaron Welty (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:

A bill (S. 9991) granting an increase of pension to Thomas Mullen;

A bill (S. 9992) granting an increase of pension to Edmund Gould;

A bill (S. 9993) granting an increase of pension to Chauncey M. Carpenter;

A bill (S. 9994) granting an increase of pension to Michael Culp;

A bill (S. 9995) granting an increase of pension to David Mills; and

A bill (S. 9996) granting an increase of pension to William H. Davisson; to the Committee on Pensions.

By Mr. HEYBURN:

A bill (S. 9997) granting an increase of pension to Abram Trexler (with accompanying papers); to the Committee on Pensions.

By Mr. McCUMBER:

A bill (S. 9998) providing for the erection of a public building at Valley City, N. Dak.; and

A bill (S. 9999) providing for the erection of a public building at Dickinson, N. Dak.; to the Committee on Public Buildings and Grounds.

A bill (S. 10000) granting an increase of pension to Nahum B. Pinkham;

A bill (S. 10001) granting an increase of pension to Benjamin F. Gilson;

A bill (S. 10002) granting an increase of pension to Adelbert Whitney;

A bill (S. 10003) granting an increase of pension to Alonzo J. Batchelder;

A bill (S. 10004) granting an increase of pension to Richard Dent;

A bill (S. 10005) granting an increase of pension to R. H. Hankinson; and

A bill (S. 10006) granting an increase of pension to Charles E. Capehart (with accompanying papers); to the Committee on Pensions.

By Mr. PERKINS:

A bill (S. 10007) for the construction and equipment of a first-class steam light vessel to mark Orford Reef, Oreg.;

A bill (S. 10008) for a flashing light to replace the fixed light now at the Point Fermin Light Station, Cal.;

A bill (S. 10009) for the establishment of a light and fog-signal station on Anacapa Island, Cal.;

A bill (S. 10010) for the substitution of a first-class fog signal to replace the present Daboll trumpet at the Fort Point Light Station, Cal.;

A bill (S. 10011) for establishing a light and fog-signal station on the San Pedro Breakwater, Cal.;

A bill (S. 10012) for the establishment of acetylene-gas beacon lights, lighted buoys, and fog signals at or near Point Heron, Point Glover, Apple Cove Point, Bush Point, Point Partridge, and the improvement of the lights and fog signals at Marrowstone Point and Slip Point, Puget Sound, Wash.;

A bill (S. 10013) for establishing additional aids to navigation in Alaskan waters;

A bill (S. 10014) for completing the establishment of the light and fog-signal station at Battery (Alki) Point, Wash.;

A bill (S. 10015) for rebuilding and improving the present light and fog signal at Lincoln Rock, Alaska, or for building another light and fog-signal station upon a different site near by;

A bill (S. 10016) for establishing a fog signal and keeper's quarters at the Point Loma Light Station, Cal.;

A bill (S. 10017) for a flashing light, a fog signal, and a keeper's dwelling at the Santa Barbara Light Station, Cal.;

A bill (S. 10018) for establishing a light and fog-signal station at or near Army Point, Suisun Bay, Cal.;

A bill (S. 10019) for establishing a light and fog signal on Cape St. Elias, Alaska;

A bill (S. 10020) for establishing a light and fog-signal station at Resurrection Bay entrance, Alaska;

A bill (S. 10021) for establishing a light and fog-signal station at or near Cape Spencer, Alaska;

A bill (S. 10022) for establishing aids to navigation on the Yukon River, Alaska;

A bill (S. 10023) for establishing a light and fog-signal station on Richardsons Rock, in the Santa Barbara Islands, Cal.;

A bill (S. 10024) for installing a fourth-order flashing light, establishing a fog signal, and constructing quarters for two assistant keepers at the Santa Cruz Light Station, Cal.;

A bill (S. 10025) for a fog signal and keeper's quarters at the Trinidad Head Light Station, Cal.; and

A bill (S. 10026) for a flashing light, fog signal, and keeper's quarters at the Point Pinos Light Station, Cal.; to the Committee on Commerce.

By Mr. RAYNER:

A bill (S. 10027) providing for the appointment of special masters in equity by the supreme court of the District of Columbia; to the Committee on the Judiciary.

A bill (S. 10028) granting an increase of pension to August Burkard (with accompanying papers);

A bill (S. 10029) granting an increase of pension to Silas H. Drenner (with accompanying papers);

A bill (S. 10030) granting a pension to John Gallagher (with accompanying papers);

A bill (S. 10031) granting an increase of pension to John H. Johnson (with accompanying papers); and

A bill (S. 10032) granting an increase of pension to Sarah E. Anderson (with accompanying papers); to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 10033) for the relief of James D. Gilman (with accompanying papers); and

A bill (S. 10034) for the relief of John E. Hillyard and Ada Walker, formerly Hillyard; to the Committee on Claims.

A bill (S. 10035) granting an increase of pension to John J. Hill;

A bill (S. 10036) granting an increase of pension to Thomas J. North; and

A bill (S. 10037) granting an increase of pension to William R. Arnold; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 10038) regulating the interstate shipment of intoxicating liquors, and for other purposes; to the Committee on the Judiciary.

A bill (S. 10039) making the rolls of the Five Civilized Tribes conclusive as to quantum of Indian blood and age, and for other purposes; and

A bill (S. 10040) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Ponca Tribe of Indians against the United States (with accompanying papers); to the Committee on Indian Affairs.

A bill (S. 10041) to create a United States legislative reference bureau, and for other purposes; to the Committee on the Library.

By Mr. LA FOLLETTE:

A bill (S. 10042) granting an increase of pension to John Rose;

A bill (S. 10043) granting an increase of pension to Christopher J. Rollis;

A bill (S. 10044) granting an increase of pension to Levi B. Wallace;

A bill (S. 10045) granting an increase of pension to John Murdie;

A bill (S. 10046) granting a pension to William S. Cleggett; and

A bill (S. 10047) granting an increase of pension to Mark Smith; to the Committee on Pensions.

By Mr. BOURNE:

A bill (S. 10048) granting an increase of pension to Sadie O. Purcell (with accompanying paper); to the Committee on Pensions.

By Mr. ALDRICH:

A bill (S. 10049) granting an increase of pension to James Blade (with accompanying paper);

A bill (S. 10050) granting an increase of pension to Annie W. Thompson (with accompanying paper); and

A bill (S. 10051) granting an increase of pension to Sarah M. Peterson (with accompanying paper); to the Committee on Pensions.

By Mr. SMITH of Maryland:

A bill (S. 10052) to provide American register for the steamer *Minnesota* upon certain conditions; to the Committee on Commerce.

A bill (S. 10053) to extend the time within which the Baltimore & Washington Transit Co., of Maryland, shall be required to put in operation its railway in the District of Columbia under the provisions of an act of Congress approved June 8, 1896, as amended by an act of Congress approved May 29, 1908; to the Committee on the District of Columbia.

By Mr. GAMBLE:

A bill (S. 10054) granting an increase of pension to Cyrus G. Stevens (with accompanying paper); and

A bill (S. 10055) granting an increase of pension to Frank A. Fassett (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Michigan:

A bill (S. 10056) for the erection of a new Federal building at Lansing, Mich.; to the Committee on Public Buildings and Grounds.

A bill (S. 10057) granting an honorable discharge to William G. Lang (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 10058) granting an increase of pension to Ephriam Hanson;

A bill (S. 10059) granting an increase of pension to Robert Thomas; and

A bill (S. 10060) granting an increase of pension to William B. Knapp (with accompanying paper); to the Committee on Pensions.

By Mr. CRANE:

A bill (S. 10061) granting an increase of pension to Charles P. Powers;

A bill (S. 10062) granting an increase of pension to Mary P. Meade; and

A bill (S. 10063) granting an increase of pension to William Hewson; to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 10064) granting an increase of pension to William W. Edwards;

A bill (S. 10065) granting an increase of pension to Byford E. Long;

A bill (S. 10066) granting a pension to Mary F. Hall;

A bill (S. 10067) granting an increase of pension to Jacob Garman;

A bill (S. 10068) granting an increase of pension to James Miles (with accompanying paper);

A bill (S. 10069) granting an increase of pension to James T. Brown (with accompanying paper);

A bill (S. 10070) granting a pension to Blanche Tolen (with accompanying papers);

A bill (S. 10071) granting an increase of pension to James W. Thompson (with accompanying papers);

A bill (S. 10072) granting an increase of pension to Thomas F. Chafee (with accompanying papers);

A bill (S. 10073) granting an increase of pension to Alexander Hogelan (with accompanying paper);

A bill (S. 10074) granting an increase of pension to John Denny (with accompanying papers);

A bill (S. 10075) granting an increase of pension to Andrew F. O'Neill (with accompanying papers);

A bill (S. 10076) granting an increase of pension to John N. Frazee (with accompanying paper); and

A bill (S. 10077) granting an increase of pension to Isaiah Fry; to the Committee on Pensions.

By Mr. BEVERIDGE:

A bill (S. 10078) for the relief of Joshua F. Spurlin (with accompanying papers);

A bill (S. 10079) for the relief of James N. Blankenship (with accompanying paper); and

A bill (S. 10080) to correct the military record of William B. Young; to the Committee on Military Affairs.

A bill (S. 10081) granting an increase of pension to Dorothea Saalman;

A bill (S. 10082) granting an increase of pension to George R. Howard;

A bill (S. 10083) granting an increase of pension to F. M. Bartley;

A bill (S. 10084) granting an increase of pension to Robert B. Mason;

A bill (S. 10085) granting a pension to Clyde W. Duvall;

A bill (S. 10086) granting an increase of pension to Oliver P. Smith;

A bill (S. 10087) granting an increase of pension to Richard Mitchell;

A bill (S. 10088) granting an increase of pension to William R. Harris;

A bill (S. 10089) granting an increase of pension to David S. Durbin;

A bill (S. 10090) granting an increase of pension to Jasper N. Woods;

A bill (S. 10091) granting an increase of pension to Lewis C. Jones;

A bill (S. 10092) granting an increase of pension to Josiah Mayer (with accompanying paper);

A bill (S. 10093) granting a pension to George Peyton (with accompanying papers); and

A bill (S. 10094) granting an increase of pension to Elihu J. Weesner; to the Committee on Pensions.

By Mr. CULBERSON:

A bill (S. 10095) to provide for the acquisition of a site on which to erect a public building at Gilmer, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. LA FOLLETTE:

A bill (S. 10096) granting an increase of pension to Marcus P. Wheeler; to the Committee on Pensions.

By Mr. CARTER:

A bill (S. 10097) granting 50,000 acres of land in Montana to aid in the establishment and maintenance of a State insane asylum; to the Committee on Public Lands.

By Mr. DEPEW:

A bill (S. 10098) to provide for the introduction of foreign nursery stock by permit only, and to authorize the Secretary of Agriculture to establish a quarantine against the importation and against the transportation in interstate commerce of diseased nursery stock or nursery stock infested with injurious insects, and making an appropriation to carry the same into effect; to the Committee on Agriculture and Forestry.

By Mr. JONES:

A joint resolution (S. J. Res. 132) authorizing the delivering to the commander in chief of the United Spanish War Veterans of one or two dismounted bronze cannon; to the Committee on Military Affairs.

OCEAN MAIL SERVICE AND PROMOTION OF COMMERCE.

Mr. GALLINGER. Mr. President, I submit an amendment in the nature of a substitute for the bill (S. 6708) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce." I ask unanimous consent that the substitute, which is brief, may be printed in the Record and that it lie upon the table. I trust that Senators will examine it, and I give notice that on Wednesday next, when the unfinished business comes before the Senate, I will submit some brief remarks on the subject, and hope that the bill will be taken up seriously for consideration.

The VICE PRESIDENT. Is there objection to the request of the Senator from New Hampshire? The Chair hears none.

The proposed substitute is as follows:

Amendment in the nature of a substitute intended to be proposed by Mr. GALLINGER to the bill (S. 6708) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce," viz: Strike out all after the enacting clause and insert the following:

That the Postmaster General is hereby authorized to pay for ocean mail service, under the act of March 3, 1891, in vessels of the second class on routes to South America south of the equator, outward voyage, at a rate per mile not exceeding the rate applicable to vessels of the first class, as provided in said act, and in vessels of the third class on said routes at a rate per mile not exceeding the rate applicable to vessels of the second class, as provided in said act: *Provided*, That if no contract is made under the provisions of this act for a line of ships between a port on the Atlantic coast south of Cape Charles and South American ports, the Postmaster General shall, provided two or more

lines are established from North Atlantic ports, require that one of said lines shall, upon each outward and homeward voyage, touch at at least one port of call on the Atlantic coast south of Cape Charles for mail, freight, and passengers, regard being had in the selection of such port of call to geographical location and to the volume of the export and import business of the port so selected: *Provided further*, That to insure the independent operation of any steamship line holding a contract under the provisions of the act of March 3, 1891, or of this amendatory act, and to prevent discrimination detrimental to the public interest, the Postmaster General shall in no event award any contract for the mail service therein provided for to any bidder who shall be engaged in any competitive transportation business by rail, or who shall be engaged in the business of exporting or importing goods, wares, merchandise, or other property on his own account, or who shall bid for, on behalf of, or in the interest of any person or corporation engaged in such business, or either of them, or having the control thereof through stock ownership or otherwise: *And provided further*, That the Postmaster General is authorized and directed to cancel any contract entered into in pursuance of the act of March 3, 1891, or of this amendatory act, if at any time the performance of the same shall rest within the control of any competitive railroad company or of any person or persons in control of the same through stock ownership or otherwise, or if any party to any such contract shall make or give any undue or unreasonable preference or advantage to any particular person, company, firm, corporation, or locality, or any particular description of traffic in any respect whatsoever, or subject any particular person, company, firm, corporation, or locality, or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage: *Provided further*, That, subject to the foregoing provisions, every contract hereunder shall be awarded to that responsible bidder who will contract, under penalties prescribed by the Postmaster General, for the highest running speed between the points named in the contract: *And provided further*, That the total expenditure for foreign-mail service in any one year under this act shall not exceed the sum of \$4,000,000, and shall not in any case exceed the amount of revenue received from the foreign-mail service over and above the amount otherwise paid for such service.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. DU PONT submitted an amendment relative to the further improvement of the Little River, Del., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment relative to the further improvement of the Murderkill River, Del., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment relative to the further improvement of the Mispillion River, Del., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment relative to the further improvement of the Lepse River, Del., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment relative to the further improvement of the Appoquinimink River, Del., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment relative to the appropriation for the purchase and construction of a suitable dredging plant to be used in the improvements in Delaware, intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. OLIVER submitted an amendment proposing to appropriate \$25,000 for the examination of sites, the construction of reservoirs, and other hydraulic works to prevent floods and overflow in the drainage basin of the Ohio River and its tributaries, etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. MARTIN submitted an amendment relative to the examination of the waters near, in, and about the city of Newport News, Va., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. HEYBURN submitted an amendment relative to the allotment of lands on the Fort Hall Indian Reservation in Idaho, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. STONE submitted an amendment relative to the establishment and maintenance of an assay office at St. Louis, Mo., etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. OVERMAN submitted an amendment relative to the establishment and maintenance of an assay office at Charlotte, N. C., etc., intended to be proposed by him to the legislative,

etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. FLETCHER submitted an amendment relative to the improvement of the harbor at St. Petersburg, Fla., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment relative to the improvement of the channel between the St. Johns River and Cumberland Sound, Fla., etc., intended to be proposed by him to the river and harbor appropriation bill, which was ordered to be printed and, with the accompanying papers, referred to the Committee on Commerce.

He also submitted an amendment proposing to appropriate \$258,000 for the improvement of Biscayne Bay, Fla., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. DICK submitted an amendment proposing to increase the salary of Alanson D. Gaston, Senate messenger in charge of the President's room, to \$1,800 per annum, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. PERKINS submitted an amendment relative to the improvement of the Mokelumne River, Cal., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment proposing to appropriate \$500,000 for continuing the improvement of the channel over Pinole Shoal, San Pablo Bay, Cal., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. BOURNE submitted an amendment proposing to appropriate \$50,000 for the improvement of the Siuslaw River, Oreg., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment for the improvement of Nehalem Bar and entrance to Nehalem Bay, Oreg., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment relative to the improvement of the Oregon Slough branch of the Columbia River, Oreg., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment proposing to appropriate \$250,000 for continuing the improvement of the Columbia River, Oreg., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. ALDRICH submitted an amendment relative to the improvement of the channel of Providence River and Harbor, R. I., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. BURKEIT submitted an amendment proposing to appropriate \$3,500 for the salary of the Assistant Commissioner of Indian Affairs, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CURTIS (by request) submitted an amendment relative to the Civil War officers of the Navy, now on the retired list, etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. MONEY submitted an amendment proposing to appropriate \$60,000 for repairing and refitting the U. S. dredge *Barnard* for service at the harbor of Gulfport, Miss., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. BAILEY submitted an amendment proposing to appropriate \$100,000 for improving the mouth of the Brazos River, Tex., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment providing for the improvement of the mouth of the Brazos River to Valasco, Tex., intended to be proposed by him to the river and harbor appro-

priation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment providing for the improvement by locks and dams of the Colorado River, Tex., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment providing for the improvement by a system of locks and dams of the Guadalupe River, Tex., to Victoria, intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. PILES submitted an amendment proposing to appropriate \$40,000 for the construction of a brick pavement, etc., in front of the Cushman School grounds, Tacoma, Wash., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment proposing to appropriate \$75,000 for general repairs to the Cushman Indian School, Tacoma, Wash., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment proposing to appropriate \$70,000 for the support and education of Indian pupils, including native pupils brought from Alaska, at the Cushman Indian School, Tacoma, Wash., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. OWEN submitted an amendment authorizing the Secretary of the Interior to deduct from the amount awarded the Indians on the Colville Reservation, Wash., the sum of \$80,000, and pay the same to the attorneys for these Indians, to whom awards were made by name, in the judgment of the Court of Claims, in cause No. 29520, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

WITHDRAWAL OF PAPERS—WILLIAM WENTWORTH.

On motion of Mr. FRYE, it was

Ordered, That permission be given for the withdrawal from the files of the Senate of the papers accompanying Senate bill 7931, to remove the charge of desertion from the record of William Wentworth, no adverse report having been made thereon.

REFUND OF CERTAIN TONNAGE TAXES.

Mr. BURTON. I ask that the Chair lay before the Senate the bill (H. R. 24786) to refund certain tonnage taxes and light dues.

The VICE PRESIDENT. The Chair lays before the Senate the bill indicated by the Senator from Ohio.

Mr. BURTON. I ask unanimous consent for the present consideration of the bill.

Mr. KEAN and Mr. OWEN. Has morning business closed?

The VICE PRESIDENT. It has not.

Mr. KEAN. Let us have the regular order, then.

The VICE PRESIDENT. The bill is regularly before the Senate, being in a message from the House handed down by the Chair. The Senator from Ohio asks unanimous consent for its present consideration. Is there objection?

Mr. GALLINGER. Let it be read.

Mr. BAILEY. Let us hear what it is, Mr. President.

The VICE PRESIDENT. The Secretary will read the bill.

Mr. BURTON. I was about to state, Mr. President, that the bill is identical with one that passed the Senate at the last session, with a change of just a few words.

Mr. BAILEY. Is the bill purely local? Is it confined to Ohio?

Mr. BURTON. It is to refund certain tonnage dues, aggregating about \$4,700, collected under a misapprehension. The bill is recommended by the Department of Commerce and Labor.

Mr. BAILEY. The fact that a similar bill has passed the Senate heretofore is, of course, persuasive, but not conclusive that it is right. Still, I shall not object.

The VICE PRESIDENT. The Secretary will read the bill.

The bill was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to refund, out of any money in the Treasury not otherwise appropriated, the following amounts to the respective named companies, assessed and collected under sections 4219 and 4225, Revised Statutes, which amounts are hereby appropriated, to wit: Two thousand four hundred and thirteen dollars in the case of dredge No. 9, scows Nos. 1, 19, and 21, without enrollment, upon the application of C. H. Starke Dredge & Dock Co.; \$674 in the case of derrick boats Nos. 7 and 11 and drill boat No. 3, without enrollment, upon the application of the Great Lakes Dredge & Dock Co.; \$1,073 in the case of scows Nos. 16 and 17 and drill scow No. 5, without enrollment, upon the application of the

Buffalo Dredging Co.; and \$577 in the case of dredge No. 3, without enrollment, upon the application of the Duluth Marine Contracting Co.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE FIVE CIVILIZED TRIBES.

Mr. OWEN submitted the following resolution (S. Res. 314), which was considered by unanimous consent and agreed to:

Resolved, That the Secretary of the Interior is hereby directed to furnish to the Senate, at the earliest practicable moment, the total cost of closing the affairs of the Five Civilized Tribes, making up the rolls, and allotting the lands, and conducting schools, with expenses incidental thereto for each year separately, with expenditure of tribal funds separately stated, since the appointment of said commission, together with the number of employees for each year, including teachers, and the present number of employees.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Claims:

H. R. 5963. An act to pay Thomas P. Morgan, jr., amount found due him by Court of Claims;

H. R. 6776. An act for the relief of Oliva J. Baker, widow of Julian G. Baker, late quartermaster, United States Navy;

H. R. 11777. An act for the relief of John T. Glynn;

H. R. 15692. An act for the relief of William E. Murray;

H. R. 16183. An act for the relief of Samuel L. Barnhart;

H. R. 18342. An act for the relief of E. C. Young;

H. R. 18631. An act for the relief of Frederic William Scott;

H. R. 18857. An act for the relief of Laura A. Wagner;

H. R. 19379. An act for the relief of the estate of Jacob A. Henry;

H. R. 20072. An act for the relief of Hans N. Anderson;

H. R. 23593. An act for the relief of the Pennsylvania Engineering Co., of the city of Philadelphia;

H. R. 24123. An act for the relief of the legal representatives of William M. Wightman, deceased.

H. R. 25057. An act for the relief of Willard Call and John M. Wyatt;

H. R. 25074. An act for the relief of the owners of the schooner Walter B. Chester;

H. R. 25081. An act for the relief of Helen S. Hogan;

H. R. 25679. An act for the relief of the Sanitary Water-Still Co.; and

H. R. 28529. An act for the relief of Phoebe Clark.

The following bills were severally read twice by their titles and referred to the Committee on Indian Affairs:

H. R. 18583. An act to correct the title to certain lands in the Creek Nation, Okla., sold under order of the United States court; and

H. R. 21905. An act for the relief of Mary Wind French.

JOHN R. KISSINGER.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 7252) granting an annuity to John R. Kissinger, which were, on page 1, line 9, to strike out "one hundred and twenty-five" and insert "seventy-two," and on page 2, line 1, to strike out all after "Cuba" down to and including "infection" in line 6.

Mr. SHIVELY. I move that the Senate disagree to the amendments of the House of Representatives and request a conference with the House on the disagreeing votes of the two Houses.

The motion was agreed to; and the Vice President appointed Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO the conferees on the part of the Senate.

JAMES D. ELLIOTT.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 193) for the relief of James D. Elliott.

Mr. GAMBLE. The bill to which this amendment was made in the House of Representatives passed the Senate during the last session, and of course went to the House. Later in the day the claim was put as an amendment upon the general deficiency bill and became law, and the amount provided for in the bill has been paid. I therefore move that the amendment be ordered to lie on the table.

The motion was agreed to.

MARCELLUS TROXELL.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 115) for the relief of Marcellus Troxell; which were, in line 6, to strike out "two" and insert "one;" and in line 7, after the word "dollars," to insert "and said sum of \$1,500 is hereby appropriated."

Mr. CRAWFORD. I move that the Senate concur in the amendments of the House of Representatives. The motion was agreed to.

OCEAN MAIL SERVICE AND PROMOTION OF COMMERCE.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 6708) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce."

Mr. GALLINGER. I ask unanimous consent that the unfinished business be temporarily laid aside.

The VICE PRESIDENT. The Senator from New Hampshire asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none.

MONUMENT TO ABRAHAM LINCOLN.

Mr. CULLOM. I ask the indulgence of the Senate to call up the bill (S. 9449) to provide a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln. The bill has come from the Committee on the Library of the Senate, and I think there will be no objection to it whatever.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Library with amendments.

The amendments were, on page 1, line 3, to strike out the word "Honorable;" in lines 3 and 4, to strike out the words "now President of the United States; Honorable;" in lines 4, 5, and 6, to strike out the words "now chairman of the Committee on the Library of the United States Senate; Honorable;" in lines 6, 7, and 8, to strike out the words "now chairman of the Committee on the Library, House of Representatives; Honorable;" in lines 8 and 9, to strike out the words "now a Senator of the United States;" in line 9, to strike out the word "Honorable;" in lines 9 and 10, to strike out the words "now a Representative in Congress;" on page 2, line 3, after the words "Abraham Lincoln," to insert the words "subject to the approval of Congress;" in line 13, after the word "created," to insert "and approved by Congress;" in line 16, after the words "upon and," to insert "approved by Congress, and shall;" on page 3, line 3, to strike out "ten" and insert "eleven;" and in line 4, to strike out "eleven" and insert "twelve," so as to make the bill read:

Be it enacted, etc., That William H. Taft, GEORGE PEARODY WETMORE, SAMUEL WALKER MCCALL, HERNANDO D. MONEY, and CHAMP CLARK are hereby created a commission, to be known as the Lincoln Memorial Commission, to procure and determine upon a location, plan, and design for a monument or memorial in the city of Washington, D. C., to the memory of Abraham Lincoln, subject to the approval of Congress.

Sec. 2. That in the discharge of their duties hereunder said commission is authorized to employ the services of such artists, sculptors, architects, and others as they shall determine to be necessary, and to avail themselves of the services or advice of the Commission of Fine Arts, created by the act approved May 17, 1910.

Sec. 3. That the construction of the monument or memorial, herein and hereby authorized, shall be upon such site as shall be determined by the commission herein created and approved by Congress, and said construction shall be entered upon as speedily as practicable after the plan and design therefor is determined upon and approved by Congress, and shall be prosecuted to completion, under the direction of said commission and the supervision of the Secretary of War, under a contract or contracts hereby authorized to be entered into by said Secretary in a total sum not exceeding \$2,000,000.

Sec. 4. That vacancies occurring in the membership of the commission shall be filled by appointment by the President of the United States.

Sec. 5. That to meet all necessary expenses of the Lincoln Memorial Commission, incurred by or under its direction, for the fiscal years 1911 and 1912, and toward the construction of said monument or memorial, to be expended under the supervision of the Secretary of War, there is hereby appropriated the sum of \$100,000, to be immediately available.

Sec. 6. That said commission shall annually submit to Congress an estimate of the amount of money necessary to be expended each year to carry on the work herein authorized.

Sec. 7. That all acts or parts of acts inconsistent herewith are hereby repealed.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RULE REGARDING TARIFF LEGISLATION.

Mr. NEWLANDS. Mr. President, I desire to give notice that on Wednesday at the conclusion of the routine morning business I will address the Senate on the resolution of the Senator from Iowa [Mr. CUMMINS] regarding the amendment of the tariff by schedules.

SENATOR FROM ILLINOIS.

Mr. OWEN. Mr. President, on May 21, 1908, I introduced Senate joint resolution 91, for the submission of a constitutional amendment providing for the election of Senators by a direct vote of the people.

On May 23, 1908, I urged the Senate to act, showing that 27 States had at that time sought relief in this matter. Senate resolution 91 was never reported by the Committee on Privileges and Elections.

After the convening of the Sixty-first Congress I introduced another Senate resolution, No. 41, for the submission to the States of the Union of a constitutional amendment providing for the election of Senators by direct vote of the people.

On May 31, 1910, I again urged this reform on the attention of the Senate, and was prevented the privilege of a vote, and the committee has never reported on Senate joint resolution 41.

The House of Representatives on five different occasions has passed a bill providing for this reform—in 1892; July 21, 1894; May 11, 1898; April 13, 1900; and February 13, 1902, the last vote unanimously, or no one opposing.

On May 31, 1910, I pointed out to the Senate that every State in the Union had acted favorably in this matter, except the New England States, New York, Delaware, and West Virginia (37 States), by passing resolutions addressed to Congress seeking for this reform, or by actually nominating Senators by a popular primary vote.

And that even in the nine States excepted there were many evidences that the people favored the election of Senators by direct vote. The Democratic Party in Connecticut, Massachusetts, New Hampshire, New York, and Rhode Island expressly declared for it in 1910.

The National Democratic Party, the National Prohibition Party, the National People's Party, have all declared in favor of it; the American Federation of Labor, the National Grange, the Society of Equity, the Farmers' Educational Cooperation Union, and other great organizations of the country have declared in favor of it. And I insisted, Mr. President, that this reform was needed for the following reasons, among others:

First. That it would prevent deadlocks in State legislatures.

Second. It would compel candidates to be subjected to the severe scrutiny of a campaign before the people and promote the selection of the best qualified men.

Third. That it would prevent interference with State legislation by violent contests over the Senatorship.

Fourth. That it would prevent improper use of money and the corruption of legislatures.

These matters I now refer to in the light of the report of the Committee on Privileges and Elections on the Senate resolution directing an investigation of certain charges made against Mr. WILLIAM LORIMER, of Illinois, where it is obvious these evils have occurred. (Proceedings, p. 638.)

On June 20, 1910, the Committee on Privileges and Elections was directed by Senate resolution 264 to report to the Senate whether in the election of Mr. WILLIAM LORIMER as a Senator of the United States from the State of Illinois "there were used or employed corrupt methods or practices."

On December 21, 1910, the report of the committee was submitted to the Senate and will be found in the RECORD of that date. (S. Rept. No. 942, 61st Cong., 3d sess.)

The Committee on Privileges and Elections has reached the conclusion that the election of Mr. LORIMER was not invalidated by any sufficient evidence of corrupt practices.

I can not acquiesce in the conclusions of the committee.

In the first place the committee concludes as a principle of law, upon the precedents of cases heretofore before the Senate, that in order to invalidate the election of a Senator on account of bribery it must be made to appear—

First. That the person elected participated in one or more acts of bribery, or attempted bribery, or sanctioned or encouraged the same, or,

Second. That enough votes were obtained for him by bribery or corrupt practices to change the result of the election.

In my judgment the better ethical rule, upon which the Senate should properly stand, is that no election of a Senator clearly shown to have been based in any degree upon bribery or corrupt practices should be allowed to stand. I think that the election of United States Senators should be made and kept above suspicion. In my opinion no elected officer in city, State, or Nation should be allowed to take his seat or to hold it where it was proven he was the beneficiary of any corrupt practice. The Senate is in honor bound to set a high example in this matter, and I refuse emphatically to acquiesce in any lower standard than this. The country is in serious need of a good example. Look at Adams County, Ohio; over a thousand citizens indicted

for selling their votes. Adopting the doctrine I suggest will tend to put an end to corrupt practices. The need is obvious.

Mr. President, in Great Britain if a single vote is bribed or any money unlawfully spent in electing a member of Parliament, his election is absolutely annulled. Why should the United States Senate, which is regarded by our people as the most distinguished legislative body in the world, adopt a lower ethical and moral standard than the British House of Commons?

In the second place, I think the evidence, even on the very narrow theory of the committee that it must be shown that enough votes were obtained by bribery to change the result, would justify the invalidation of the election of Mr. LORIMER. Mr. LORIMER was compelled to have 103 votes as a constitutional majority. He received 108, and of these at least 10 are already shown not to deserve to be counted on account of corrupt practices, and in my judgment the investigation was by no means as searching and complete as it should have been, no examination having been made into the jackpot conspiracy, a coalition obviously in numbers strong enough to obtain or defeat measures, which was confessed by White to be a consideration moving him to vote for LORIMER, and so forth.

I submit a brief abstract of the evidence filed in the proceedings, referring to pages of the record by number. In considering the evidence of bribe givers and bribe takers and their evasions and falsehoods, I have endeavored to ascertain the actual truth as evidenced by circumstantial evidence, sound reason, and common sense. In spite of all denials the witnesses corroborate each other in the essential facts.

(1) D. W. HOLSTLAW AND (2) JOHN BRODERICK.

D. W. Holstlaw was a senator from the forty-second district in the legislature of Illinois. He appeared before the Senate committee and on his oath declares that Senator John Broderick, another senator (of the forty-sixth district) in the general assembly of Illinois, promised him money if he would vote for Mr. LORIMER (p. 198), and the next morning after this promise, on May 26, 1909, he voted for Mr. LORIMER, and that thereafter, on the 16th day of June, 1909, in Chicago, Ill., John Broderick paid him \$2,500 in currency, and he deposited the same with the State Bank of Chicago, Ill., to the credit of the Holstlaw Bank, of Iuka, Ill. (p. 201). He is confirmed by the bank officer who received the money, Mr. Jarvis O. Newton, and by the deposit slip of the State Bank of Chicago, Ill., June 16, 1909, showing that this amount was deposited in currency (p. 411).

John Broderick was twice called before the committee and withdrawn without testifying (pp. 422, 508), and finally was summoned at the instance of Albert S. Austrian, counsel for the Chicago Tribune, who assumed the burden of presenting evidence (p. 547).

Broderick refused to answer questions (p. 557) on the avowed ground that he might incriminate himself, and is under indictment at Springfield, Ill., for bribery in the Lorimer case.

His testimony was obviously insincere and untrue.

D. W. Holstlaw further testified that he received \$700 additional from John Broderick, who told him that there was that much coming to him. In my judgment, if it were merely a question of counting votes neither the vote (1) of D. W. Holstlaw nor of (2) John Broderick should be counted; but, in my opinion, it is not a question of counting votes; it is a question of invalidating the election of a United States Senator, where gross corruption and bribery is established in one or more instances.

(3) H. J. C. BECKEMEYER.

H. J. C. Beckemeyer, member of the Forty-sixth General Assembly of Illinois and a member of the Lee O'Neill Browne faction, who voted for Mr. LORIMER, appeared before the Senate committee and made oath that on or about May 25 or 26, 1909, he entered into an arrangement that proved to be corrupt with Lee O'Neill Brown (the leader of the Browne faction of 37 members of the Democratic Party in the lower house); that he voted for Mr. LORIMER on May 26, 1909; and that he received, on June 21, 1909, in St. Louis, Mo., at the Southern Hotel, \$1,000 from Lee O'Neill Browne for his vote for Mr. LORIMER (p. 227), and that on July 15, 1909, at the Southern Hotel, St. Louis, Mo., he received \$900 from Robert E. Wilson, the intimate friend and representative of Lee O'Neill Browne, on the same account (p. 228). Beckemeyer deposited \$500 of this money from Wilson in the Commercial Trust Co., St. Louis (p. 228).

(4) MICHAEL S. LINK.

Michael S. Link, a member of the Forty-sixth General Assembly of Illinois, a member of the Browne faction, under oath, stated in like manner before the Senate committee that he met Lee O'Neill Browne in St. Louis at the Southern Hotel on June 21, 1909, and received \$1,000 from him (p. 281); that he met

Robert E. Wilson, the intimate friend and representative of Browne, in St. Louis, Mo., on July 15, 1909, and got \$900 from Wilson at the same time and place as Beckemeyer (p. 281). Link pretended to think this "campaign money," although it is obvious it was for the same purpose as that confessed by White and Beckemeyer.

(5) CHARLES A. WHITE, (6) LEE O'NEILL BROWNE, (7) R. E. WILSON.

Charles A. White, a member of the house, Forty-sixth General Assembly of the State of Illinois, and a member of the Browne faction, on his oath, appeared before the Senate committee. He stated that he had made an agreement with Lee O'Neill Browne on May 25, 1909, to vote for Mr. LORIMER, for \$1,000, and was to have as much more from other sources (p. 49), repeatedly referred to as the "jack pot;" that he was taken in on the money derived from other sources, the "jack pot," as a part of the consideration for voting for Mr. LORIMER; that Browne paid him \$1,000—first, \$100 at Springfield, Ill.; \$50 in Chicago, Ill.; and \$850 in Chicago, Ill. (p. 52), on June 17, 1909, and that he received in like manner \$900 from Robert E. Wilson (p. 81), a member of the Browne faction, the intimate friend and representative of Lee O'Neill Browne, at the Southern Hotel, St. Louis, Mo., on July 15, 1909, in accordance with Browne's previous promise.

White's testimony is corroborated by Thomas P. Kirkpatrick, who said that White deposited for safe-keeping a package of money marked "Eight hundred (\$800.00) dollars" with Mr. Hollender, cashier of the Grand Leader Store in St. Louis, Mo., in the latter part of June, 1909 (p. 223), and White is otherwise corroborated by accounting for the time, place, and amount of his various expenditures of this money received by him from Browne and Wilson. For these reasons, I believe, that if it were merely a matter of counting votes, which, in my judgment, it is not, that the votes of Charles A. White, H. J. C. Beckemeyer, Michael S. Link, Robert E. Wilson, and Lee O'Neill Browne should not be counted in favor of the election of Mr. LORIMER. It is shown in the evidence that Robert E. Wilson wrote letters falsely dated back a year so as to appear to have been written to Beckemeyer on June 26, 1909, and to Link on June 26, 1909, arranging the St. Louis meeting for the purpose of a banquet for Browne, when, as a matter of fact, these letters were falsely dated and falsely conceived and agreed upon between them, having been written in 1910, after the disclosure of this corruption was threatened.

White testified (p. 81) that Lee O'Neill Browne had on a blue cloth belt July 17, 1909, Briggs House, Chicago, the day he paid White, in which he said he had \$30,000. Thirty of the Browne faction voted for LORIMER (p. 639).

Lee O'Neill Browne was indicted for bribery of Charles A. White in the Lorimer case (p. 618)—the first jury was a hung jury, and by the second jury he was acquitted, but it should be remembered also that out of the second trial, at which he was acquitted, his attorney, Erbstein, was indicted for bribing the jury that acquitted Browne. Moreover, the venue of the cases above cited in which Browne had corruptly paid money to Beckemeyer and Link et al. was laid in the State of Missouri, and that Wilson's payments were likewise in the State of Missouri, the crafty purpose of which seems obvious, i. e., to prevent any indictment in Illinois. On the floor of the legislature, when the Lorimer vote was up, Browne, in his speech, said, "You can not cash dreams," to which Representative English replied, "He might cash votes" (p. 636).

(8) CHARLES S. LUKE.

Charles S. Luke, a member of the Browne faction of the Forty-sixth General Assembly of Illinois, is now dead. He voted for Mr. LORIMER May 26, 1909. He met Lee O'Neill Browne in St. Louis, Mo., at the Southern Hotel on June 21, 1909, at the same time Browne paid Beckemeyer and Link. It is shown that he exhibited \$950 to his wife immediately afterwards without explaining its source (p. 495).

It is shown that he met Robert E. Wilson, Browne's intimate friend and representative, at the Southern Hotel on July 15, 1909, when other bribe takers were paid.

Charles A. White, in his original statement of this case, declares that Charles S. Luke was angry at getting only \$900 at St. Louis, and stated to him that he could have gotten \$1,500 at the beginning of the session and was sorry that he did not take it; that he intimated to Luke that he, White, had not received anything, but that Luke answered by saying:

Yes; you did. You got \$1,000; just what we all got except the leaders, and it is to be expected they got more than we (p. 11).

Under these circumstances, if it were merely a matter of counting votes, I do not think the vote of Charles S. Luke should be counted for Mr. LORIMER.

(9) JOSEPH B. CLARK.

Joseph B. Clark was also a member of Browne's faction who voted for Mr. LORIMER May 26, 1909.

The evidence shows that Joseph B. Clark was in St. Louis at the Southern Hotel on June 21, 1909, although he denies it, and that also he was present and met Robert E. Wilson in St. Louis on July 15, 1909. He was present when Robert E. Wilson paid Beckemeyer \$900; he it was who by agreement received Robert E. Wilson's manufactured false letter of 1910, antedated about a year, and which was prepared with the intention of establishing a false excuse for the meeting held in St. Louis on July 15, 1909.

Beckemeyer testified that Mr. Clark agreed with him that it might be all right for Beckemeyer to deny having been in St. Louis on July 15, 1909, showing that Clark agreed to false evidence in regard to the St. Louis meeting.

D. W. Holtzlaw states that Clark had told him that they would get something out of the furniture deal, a grossly corrupt transaction for which Clark is now under indictment. Under all the circumstances, I believe that Joseph B. Clark, as a member of the Browne faction, the "gang" Beckemeyer referred to, in replying that he would go with it wherever it went (p. 258), was also a bribe taker, and that his vote ought not to be counted.

(10) HENRY A. SHEPHARD.

Henry A. Shephard, member of the Forty-sixth General Assembly of Illinois, was a member of the Browne faction, who voted for Mr. LORIMER, May 26, 1909. He also met Lee O'Neill Browne at the Southern Hotel, St. Louis, on June 21, 1909, precisely the same place, and at the same time that the payments were made to those who have confessed, or who have been proven to be bribe takers and bribe givers. Immediately at the time, but before Beckemeyer received his \$1,000 from Browne, and as he was going into Browne's room, Henry A. Shephard was just coming out of Browne's room (p. 227).

He was at the meeting with Robert E. Wilson with the bribe takers at the Southern Hotel, St. Louis, Mo., on July 15, 1909, and went into the famous bathroom with Wilson just before Charles A. White went into the same bathroom and got \$900, but Shephard attempts the silly explanation that his visit to the bathroom related exclusively to answering a question by R. E. Wilson as to the name of a lady who had taken dinner with Henry A. Shephard months before at Springfield, Ill. All of the evidence will justify the belief that Henry A. Shephard, as a member of the "gang," was paid the same amount as the other members of the "gang." His absurd explanation of his going to St. Louis to meet with this party of men, of his going into the bathroom to tell the name of a lady with whom he had taken dinner at a public hotel months before, is unworthy of belief.

Henry A. Shephard, however, explains his vote for Mr. LORIMER on the ground that Mr. LORIMER made him a personal promise (Proceedings, p. 318) that he would do all in his power to prevent Mr. Richards, the postmaster of Jerseyville, Ill., or his deputy, Mr. Becker, from being appointed as postmaster of that town. Shephard testified that he told Browne that he could not and would not vote for LORIMER; that Browne appealed to him, stating that "we have not got enough without you;" and that Mr. LORIMER would make the promise he wanted. (Proceedings, p. 318.)

That he, Henry A. Shephard, said to Mr. LORIMER, "If you will promise me that neither Mr. Richards nor Mr. Becker shall be made postmaster I will vote for you."

And that he, Mr. LORIMER, said, "I will promise you to do all in my power to prevent them from being appointed."

I am advised that the statutes of Illinois provide that—
 whoever corruptly * * * gives any money or other bribe, present, reward, promise, contract, obligation, or security * * * to any legislative, executive, or other officer, * * * with intent to influence his act, vote, * * * or judgment * * * on any matter * * * which may be then pending, or may by law come or be brought before him, * * * shall be deemed guilty of bribery. (Sec. 31, chap. 38.)

If it were merely a matter of counting votes, I think that Henry A. Shephard's vote should not be counted.

Beside these cases, it is my judgment that in view of the testimony of White that his right to participate in the "jack pot" was a consideration moving him to vote for Mr. LORIMER, and that White, Holtzlaw, Sink, Luke, and Beckemeyer, who voted for Mr. LORIMER, appear to have received a pro rated part of the "jack pot," and to have been "taken in" on the "jack-pot" conspiracy, the committee would have been justified in inquiring into the extent of the "jack pot" and its relation, as an agency, in bringing about the election of Mr. LORIMER.

There were 30 of the Browne faction who followed Browne's leadership and supported Mr. LORIMER.

Albert J. Hopkins had received 165,305 votes at the Republican primary; GEORGE E. FOSS, 121,110 votes; William E. Mason, 86,596 votes; William G. Webster, 17,704 votes.

Lawrence B. Stringer was the only Democratic candidate and received the vote of his party at the primary.

Mr. LORIMER was not before the primary as a candidate. He received the vote of only one member in the legislature on May 13, 18, 19, 20, 25, but on May 26 he suddenly received 108 votes, 5 or 6 in excess of the constitutional majority required.

Every Democratic legislator was under the instruction of the Democratic primary to support Mr. Stringer and knew it meant great political danger to support Mr. LORIMER. There was no mandate from the people to elect Mr. LORIMER. Every sound reason of political expediency forbade it. It seems as if pecuniary consideration alone could accomplish it since this dangerous law-defying method was finally resorted to, and I think that the best evidence obtainable that it was necessary to buy votes in order to elect Mr. LORIMER at all is the expert opinion of those who bought these votes and paid as high as \$3,200 for a single vote, as in the Holtzlaw case.

The above record of bribery and corruption can not be broken down, in my opinion, on the theory that the men who received the bribes were unworthy of belief on their confession, and that their testimony against the bribe givers is unworthy of credit (because the witnesses are infamous); for the reason that there is such a tissue of substantial and circumstantial evidence surrounding the case that it is impossible to resist the belief that these confessions are substantially true. It does not suffice to say that a bribe taker is unworthy of credit. With the exception of White, all the testimony from the bribe givers and bribe takers came with extreme reluctance and was obtained only by the exercise of the powers of the Government.

In my judgment the attempt to rebut and break down the force of these confessions failed. It is extremely difficult to expose conspiracy where every man concerned has a powerful interest to conceal his own wrongdoing.

Lee O'Neill Browne and his friend and Representative R. E. Wilson, who was indicted for perjury before the grand jury (p. 731), deny making the payments to White, Beckemeyer, Link, and Luke, but they are overwhelmed by both the direct and circumstantial evidence and in my opinion are unworthy of credit (p. 732).

It has been suggested that Lee O'Neill Browne has been vindicated, having been reelected to the legislature.

In my judgment, this is no proof of vindication, in the presence of the evident bipartisan system of corruption in Illinois, where votes can be easily bought under a defective form of corrupt-practices act, which permits of easy evasion. If a man has behind him large capital interested in his vindication, vindication is easy.

Particularly is this true in Illinois, where under the plumping system or accumulative voting one-third of the votes in Mr. Browne's district would suffice to elect and where under the bipartisan system he had both a Republican and Democratic following. In his evidence he stated that he probably got nearly as many Republican votes as he did Democratic (p. 585).

The dangerous extent to which bribery of voters has gone in this Nation is exhibited by the indictment of over a thousand citizens in Adams County, Ohio, a State in which there is a defective corrupt-practices act and machine rule. The Republic can not last if such a system is permitted to continue. The time has come for reform and the establishment of honest government and of the people's rule and the overthrow of machine rule.

I again call attention to the code of the people's rule (S. Doc. No. 603, 61st Cong., 2d sess.), which shows the easy pathway to righteousness in government.

ATTEMPTS TO BRIBE.

(11) George W. Meyers was one of the seven members of the Browne faction who refused to vote for Mr. LORIMER. He made oath before the Senate committee that Lee O'Neill Browne urged him to vote for Mr. LORIMER and suggested that there would be some good State jobs to give away and plenty of the "ready necessary," meaning money; that he refused, however, to vote for Mr. LORIMER (p. 312).

JACOB GROVES.

(12) Jacob Groves, a Democratic member of the house who did not vote for Mr. LORIMER, testified that Douglass Patterson, an ex-member of the house, came to him after he had retired, on May 25, 1909, the night before Mr. LORIMER's election, and requested an interview, stating that he wanted him to keep quiet about the matter; he wanted to know if Groves was an Odd Fellow or a Mason, and referring to the LORIMER matter, said: "It may be a good thing for both of us if you, Groves, were to vote for LORIMER." To this proposal Groves replied that there

was not money enough in Springfield to hire him to vote for LORIMER. The proposal excited Groves and he talked very loud, and Patterson urged him "to put down the transom," and immediately denied that he intended any bribery (p. 415).

HENRY TERRILL.

Henry Terrill, who was a Republican member of the house, testified that (13) John Griffin, Democratic member of the Browne faction, who voted for LORIMER, asked him [Terrill] to vote for Mr. LORIMER. Terrill testified that he asked him "what there would be in it," and he said "\$1,000, anyway." Terrill says this occurrence took place one or two nights before Mr. LORIMER's election (p. 498). Griffin denied the guilty suggestion, but is less credible than Terrill, because Terrill had no reason to conceal the truth or tell a falsehood, while Griffin did have. I think Griffin's vote should not be counted. It should be remembered that 53 of the votes for Mr. LORIMER were Democratic votes, instructed by the unanimous primary vote of the Democrats of Illinois to stand for Mr. Stringer. They abandoned Mr. Stringer, the Democrat, and suddenly at a given moment solidly supported Mr. LORIMER, the Republican. I do not believe this conduct was the simple exercise of honest personal judgment on the fitness of candidates, and I think the members of the jack pot should have been ascertained and examined. They evidently were numerous enough to control or block legislation. Of the 149 Republican members voting, Mr. LORIMER only received 55, about a third, showing that as a candidate of the Republican Party he was not acceptable to the Republican members of the legislature, and, not having been a candidate at all in the primaries, there was no popular mandate whatever to support his candidacy. Under all the circumstances, I do not think he really represents the will of the people of Illinois. If the people of Illinois want him, and will give him popular approval in the primary, I think he might then be entitled to a seat in the Senate; otherwise not. He should seek vindication in his own State.

Mr. President, under the circumstances I believe it my duty to the people of Oklahoma, to the Senate of the United States, and to the American people to move the Senate to declare the so-called election of Mr. LORIMER void, on account of the corrupt practices above set forth, a resolution as to which I have already introduced.

I believe that there was wholesale corruption and bribery used in procuring the election of Mr. LORIMER, and that it has been abundantly proven, and that the effort to break down the corroborating mass of interwoven evidence above cited by rebuttal has failed.

I believe if Mr. LORIMER should retain his seat under these painful circumstances it would lower the United States Senate in the esteem of the American people. I believe the time has come when the American people will approve stern measures in dealing with bribery and with corrupt conduct in public affairs, and I think it better for all the people that there should be an end made to the election of Senators by the sinister commercial forces of the Republic.

Mr. President, I submit to the Senate that the time has come for the adoption of a constitutional amendment for the election of Senators by the direct vote of the people, under the safeguard of an honest and thoroughgoing corrupt-practices act and publicity pamphlet such as Oregon has adopted, which gives an equal chance to the rich man and the poor man, and strictly limits the use of money in the election of Senators.

In view of the fact that many seats in the United States Senate are about to be determined in various legislatures, it is of the highest importance that the Senate of the United States should give the country to understand that the election of Senators shall be absolutely free from bribery or corrupt practice.

In my opinion Mr. LORIMER was not the choice of the legislature of Illinois nor of the people of Illinois, and his election, so called, is entirely vitiated by the corrupt practices of his supporters, was illegal and void ab initio, and does not merit present recognition.

It is no longer WILLIAM LORIMER on trial, but the Senate itself is on trial before the bar of the American people.

I submit the following resolution (S. Res. 316) for the consideration of the Senate:

Resolved, That the so-called election of WILLIAM LORIMER, on May 26, 1909, by the legislature of the State of Illinois, was illegal and void, and that he is not entitled to a seat in the United States Senate.

THE CALENDAR.

Mr. KEAN. I ask unanimous consent that the Senate proceed to the consideration of the calendar under Rule VIII.

The PRESIDING OFFICER (Mr. Root in the chair). The Senator from New Jersey asks unanimous consent that the Senate proceed to the consideration of the calendar under Rule

VIII. Is there objection? The Chair hears none, and the Secretary will state the first bill on the calendar.

The bill (S. 3528) to reimburse depositors of the Freedman's Savings & Trust Co. was announced as first in order.

Mr. KEAN. Let that bill go over, Mr. President. I should like to have the bill passed, but I know there is objection to it on the part of other Senators.

The PRESIDING OFFICER. The bill will go over.

Mr. GALLINGER. I ask unanimous consent that we commence at the point on the calendar where we left off the last time it was under consideration.

The PRESIDING OFFICER. The Senator from New Hampshire asks unanimous consent that the Senate begin the consideration of the calendar at the point where it left off when the calendar was last under consideration.

Mr. STONE. Can the Chair inform me at what point we left off?

The PRESIDING OFFICER. Will the Senator from New Hampshire indicate the point to which he refers?

Mr. GALLINGER. Mr. President, I ask unanimous consent that we commence at the top of page 5 for the consideration of the calendar to-day.

Mr. KEAN. I have no objection to that, and I will modify my request in that way.

Mr. STONE. Mr. President, there is a bill on page 1 which I should like to have considered.

Mr. KEAN. I will say to the Senator from Missouri that that bill would be objected to, not by me personally, but a number of Senators would like to be present when it is considered.

Mr. GALLINGER. I withdraw my request, and will let the calendar be taken up in order.

The PRESIDING OFFICER. The request is withdrawn. The Secretary will state the next bill in order on the calendar.

BILLS PASSED OVER.

The bill (S. 1130) for preventing the manufacture, sale, or transportation of adulterated or misbranded paint, turpentine, or linseed oil was announced as next in order.

Mr. KEAN. Let that bill go over.

The PRESIDING OFFICER. The bill will go over without prejudice at the request of the Senator from New Jersey.

The concurrent resolution (S. C. Res. 16) authorizing the Secretary of War to return to the State of Louisiana the original ordinance of secession that was adopted by the people of said State in convention assembled, etc., was announced as next in order.

Mr. HEYBURN. I ask that that concurrent resolution go over.

The PRESIDING OFFICER. The concurrent resolution will go over at the request of the Senator from Idaho.

The bill (S. 574) to authorize J. W. Vance, L. L. Allen, C. F. Helwig, and H. V. Worley, of Pierce City, Mo.; A. B. Durnil, D. H. Kemp, Sig Soloman, J. J. Davis, S. A. Chappell, and W. M. West, of Monett, Mo.; M. L. Coleman, M. T. Davis, Jared R. Woodfill, Jr., J. H. Jarrett, and William H. Standish, of Aurora, Lawrence County, Mo.; and L. S. Meyer, F. S. Heffernan, Robert A. Moore, William H. Johnson, J. P. McCammon, M. W. Colbaugh, and W. H. Schreiber, of Springfield, Greene County, Mo., to construct a dam across the James River in Stone County, Mo., and to divert a portion of its waters through a tunnel into the said river again to create electric power, was announced as next in order.

Mr. KEAN. Let that bill go over.

The PRESIDING OFFICER. The bill will go over without prejudice at the request of the Senator from New Jersey.

Mr. STONE. I thought the Senator from New Jersey would not object to that bill.

PUBLIC-BUILDINGS BILLS INDEFINITELY POSTPONED.

Mr. SCOTT. I should like to ask the indulgence of the Senate for a moment in order that I may ask unanimous consent for the indefinite postponement of a number of bills on the calendar under Rule IX that have been included in the public-buildings bill that was passed at the last session of Congress. I refer to Senate bills 7010, 5503, 6034, 7427, 578, 7725, 4790, 3198, 984, 8091, and 2195. I ask that those bills, which are now on the calendar under Rule IX, be indefinitely postponed.

Mr. WARREN. May I ask if that request includes all of the public-buildings bills?

Mr. SCOTT. Yes; it includes all of the public-buildings bills that were included in the omnibus public-buildings bill at the last session of Congress.

The PRESIDING OFFICER. The Senator from West Virginia moves that the bills on the calendar under Rule IX the numbers of which he has given be indefinitely postponed. The question is on that motion.

Mr. MONEY. I did not hear what the motion was, and if it is not too late I should like to have it repeated.

The PRESIDING OFFICER. The Senator from West Virginia [Mr. Scott] has moved the indefinite postponement of a number of bills which have been included in the omnibus public-buildings bill which was passed at the last session of Congress.

Mr. SCOTT. I make the motion in order that the bills may be taken off the calendar.

Mr. MONEY. Very well.

The PRESIDING OFFICER. In the absence of objection, the bills referred to by the Senator from West Virginia will be indefinitely postponed. The Secretary will state them by number and title.

The Secretary read as follows:

A bill (S. 7010) to provide for the erection of a public building in the city of Poplar Bluff, in the State of Missouri.

A bill (S. 5503) to provide for the erection of a public building at Tulsa, Okla.

A bill (S. 6034) to provide for the erection of a public building at Thomasville, Ga.

A bill (S. 7427) for the purchase of a site and the erection of a public building at Humboldt, Tenn.

A bill (S. 578) to erect a post office building in the city of Morristown, Tenn.

A bill (S. 7725) to acquire certain land in Hall & Elvan's subdivision of Meridian Hill, in the District of Columbia, for a public park.

A bill (S. 4790) providing for the purchase of a site for a public building at South Bethlehem, Pa.

A bill (S. 3198) providing for the erection of a public building at Amarillo, Tex.

A bill (S. 984) providing for the erection of a public building at Ardmore, Okla.

A bill (S. 8091) to increase the limit of cost for purchase of a site and erection of a post-office building at Wabash, Ind.

A bill (S. 2195) to provide for the enlargement of the Federal building at Salina, Kans.

BILLS PASSED OVER.

The PRESIDING OFFICER. The Secretary will state the next bill on the calendar.

The SECRETARY. A bill (S. 6454) providing for the settlement of the claims of the Shawnee and Delaware Indians.

Mr. KEAN. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill will go over at the request of the Senator from New Jersey.

The bill (S. 7364) for the equalization of Creek allotments was announced as next in order.

Mr. KEAN. I ask that that bill go over.

The PRESIDING OFFICER. The bill will go over.

The bill (H. R. 10584) providing for the adjustment of the claims of the States and Territories to lands within national forests was announced as next in order.

Mr. HEYBURN. I ask that that bill go over.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 8083) to provide for the handling of mail on which insufficient postage is prepaid, and for other purposes, was announced as next in order.

Mr. BURKETT. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill will go over at the request of the Senator from Nebraska.

The bill (S. 8084) to provide mail receptacles at residences and places of business, and for other purposes, was announced as next in order.

Mr. OVERMAN. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill will go over.

HEIRS OF LIEUT. R. B. CALVERT.

The bill (S. 3898) for the relief of the heirs of Lieut. R. B. Calvert, deceased, was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with amendments on line 4, after the word "authorized," to insert "and directed," and on line 8, after the word "dollars," to insert "which sum is hereby appropriated," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sarah E. Jackson and Mabel O. Calvert, mother and sister, respectively, of Lieut. R. B. Calvert, United States Army, deceased, the sum of \$206, which sum is hereby appropriated, in full for all losses of personal property incurred by him while disembarking under orders from the U. S. transport Conemaugh at Iloilo, P. I., April, 1899.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 7180) authorizing the Secretary of War to return to the governor of Louisiana certain bonds of the State of Louisiana and city of New Orleans was announced as next in order.

Mr. HEYBURN. Mr. President, let that bill go over.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 7902) to promote the science and practice of forestry by the establishment of the Morton Institute of Agriculture and Forestry as a memorial to the late J. Sterling Morton, former Secretary of Agriculture, was announced as next in order.

Mr. HEYBURN. Let that go over, Mr. President.

The PRESIDING OFFICER. The bill will go over.

REISSUANCE OF DRAFTS.

The bill (S. 8039) authorizing the settlement of certain outstanding liabilities of the Government by the issue of new drafts upon the return of drafts heretofore issued representing said liabilities was considered as in Committee of the Whole. It proposes that upon return to the Treasury Department of certain outstanding drafts, amounting in the aggregate not to exceed \$7,407.09, by H. Amy & Co., Adrian Iselin & Co., Baring Bros. & Co., and the other claimants or parties to whom the drafts were delivered when issued, the Secretary of the Treasury be directed to issue, in conformity with the decision of the First Comptroller of the Treasury dated June 6, 1888, new drafts in exchange therefor, made payable to the order of the parties returning them or as directed by indorsements thereon, provided the returned drafts were issued in refund payment of internal-revenue taxes withheld by railroad and other corporations acting as Government agents from coupons which were in possession of and presented by the parties for collection, the intent of this act being to place the parties in the same legal position occupied by them at the time the coupons were originally presented for payment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. BURNHAM subsequently said: I move to reconsider the votes by which Senate bill 8039 was ordered to be engrossed, read a third time, and passed, in order that I may move the indefinite postponement of the bill. The item was inserted in the general deficiency bill last session.

Mr. HEYBURN. I should like to inquire when the bill was passed.

The VICE PRESIDENT. The bill was passed to-day; a few moments ago.

Mr. HEYBURN. I did not identify it by its title.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from New Hampshire to reconsider.

The motion was agreed to.

Mr. BURNHAM. I move that the bill be indefinitely postponed.

The motion was agreed to.

BILLS PASSED OVER.

The bill (S. 7765) providing for the retirement of petty officers and enlisted men of the United States Navy or Marine Corps, and for efficiency of the enlisted personnel, was announced as next in order.

Mr. WARREN. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill will go over.

The bill (H. R. 19402) to enable the Telepost Co. to construct its plant, operate the same, and transact its business in the District of Columbia, and to make necessary connections with other parts of its system, was announced as next in order.

Mr. GALLINGER. Mr. President, on behalf of the junior Senator from Connecticut [Mr. Brandegee], I ask that that bill be transferred to the calendar, under Rule IX.

The PRESIDING OFFICER. In the absence of objection, it will be so ordered.

The bill (S. 6823) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Pawnee Tribe of Indians against the United States was announced as next in order.

Mr. SMOOT. I ask that that bill go over, Mr. President, without prejudice.

The PRESIDING OFFICER. The bill will go over, without prejudice.

The bill (S. 7648) to correct the military record of Charles J. Smith was announced as next in order.

Mr. OVERMAN. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill will go over, under objection.

The bill (S. 3719) for the appointment of a national commission for the conservation of natural resources and defining its duties was announced as next in order.

Mr. HEYBURN. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 6991) to authorize the compilation of the military and naval records of the Revolutionary War, with a view to their publication, was announced as next in order.

The PRESIDING OFFICER. That bill will go over, without prejudice.

REIMBURSEMENT OF SOUTHERN PACIFIC CO.

The bill (S. 431) to reimburse the Southern Pacific Co. the amounts expended by it from December 1, 1906, to November 30, 1907, in closing and controlling the break in the Colorado River, was announced as next in order.

Mr. OVERMAN. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill will go over on the objection of the Senator from North Carolina.

Mr. SMOOT. I move that the Senate proceed to the consideration of the bill, notwithstanding objection of the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from Utah moves that, notwithstanding the objection, the Senate now proceed to the consideration of the bill. The question is on that motion.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with amendments, on page 1, line 3, after the words "sum of," to strike out "one million six hundred and sixty-three thousand one hundred and thirty-six dollars and forty" and insert "seven hundred and seventy-three thousand six hundred and forty-seven dollars and twenty-five;" and on the same page, line 9, before the word "amounts," to strike out "the" and insert "for certain," so as to make the bill read:

Be it enacted, etc., That the sum of \$773,647.25 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to reimburse and pay the Southern Pacific Co. for certain amounts paid by it from December 1, 1906, to November 30, 1907, in closing and controlling the break in the Colorado River and thereby saving the overflow and destruction of the Imperial Valley in southern California.

The amendments were agreed to.

Mr. CULLOM. Mr. President, I think we ought to have a full explanation of this bill. It proposes to appropriate a great sum of money, and I should like to hear some Senator who is familiar with the facts state them to the Senate.

Mr. SMOOT. Mr. President, this is a bill appropriating money for the reimbursement of the Southern Pacific Railway Co. for closing and controlling a break in the Colorado River. This work was done at the earnest request of President Roosevelt, and it is also referred to in the last message of President Taft, who expressed the opinion that relief should be granted. The bill as originally introduced called for an appropriation of \$1,663,136.40. The bill was referred to a subcommittee of the Committee on Claims. A great many hearings have taken place upon it, and, as a member of that committee, I have had before me the accounts of the company showing every dollar of expenditure of this amount.

Mr. WARREN. How much are you allowing?

Mr. SMOOT. We are allowing \$773,647.25—

Mr. WARREN. Less than half of the claim.

Mr. SMOOT. And it consists of the following items—

Mr. KEAN. I suggest to the Senator from Utah—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Jersey?

Mr. SMOOT. I yield.

Mr. KEAN. I suggest to the Senator from Utah that, as he has all the facts, he state them briefly, showing the exact amount that we allowed and the authority for allowing it, and the way we came to the conclusion as to the amount we should appropriate.

Mr. SMOOT. I was just going to do that. As I said, the claim of the Southern Pacific Co. was for \$1,636,063.11, and the committee allowed only \$773,647.25, and these were the items: For labor, \$275,310.12, and we deducted from that 10 per cent, leaving \$247,779.11.

That was done for this reason: After the examination of the accounts of the railroad company we found that they had added 10 per cent on the amount of labor charges. Therefore we deducted 10 per cent from it.

The next item was for materials and supplies actually used, \$261,969.04, and from that we deducted 10 per cent.

The next item was for construction of levees, and that was done by contract, and I examined every contract that was signed on behalf of individuals and the company. The amount was \$255,378.55.

The next item that we allowed was for duties actually paid. That is, a great deal of the rock came from Mexico, and for duties paid, amounting to \$34,717.45, we also allowed.

All the other items, consisting of fuel, freight charges on supplies and materials, freight fuel, transportation, work-train service, rental of equipment, commissary supplies and labor, trackage charges, officers' and clerks' salaries, office expenses, traveling expenses, and sundry expenses, we eliminated, cutting the amount from \$1,636,063.11 to \$773,647.25.

Mr. CULLOM. As far as I am concerned, I think the bill is all right, but I wanted the record to show the facts and the grounds upon which this great amount of money is proposed to be appropriated.

Mr. HEYBURN. Mr. President, I have been unable to have brought to my desk as yet a copy of the report of the committee, although I have asked for it. It seems to be not available.

Mr. SMOOT. These are the amounts.

Mr. HEYBURN. It is not a question of the amounts, Mr. President. I have a rather distinct recollection of the maps that were used in connection with this project. I wish to know as a fact whether or not this fill, the making of which is responsible for much of this expenditure, is used as the present bed of the railroad company tracks, and whether the expenditure of this money was really not for the purpose of building a railroad for the company in lieu of the one washed out. I desire to know the facts.

Mr. SMOOT. That is not the fact. The railroad is in the Imperial Valley, and the Imperial Valley is below the Colorado River. The railroad company moved their tracks and they are not near the break. In fact, they had to build to the break in order to deliver the material that was used in closing the break in the Colorado River.

Mr. HEYBURN. That sounds all right, and I know the Senator is speaking in entire good faith. But I now have before me a copy of the report in which we find certain maps and drawings that give us some more accurate information in regard to the relation which this work bears to the permanent benefit of the railroad company. The railroad company were sufferers by reason of this break, as were the inhabitants of this valley; at least they were threatened with great damage. They seem to have taken advantage of the opportunity, which was one of pressing necessity, to readjust their lines, and so construct them and protect them by this levee as to give them a very much enhanced value.

I remember the occasion, as we all do, when there was a little bit of brain storm about the condition down there, and some rather hasty contracts were made which, on their face, looked as though they were in the interests of saving that great community from destruction and a large quantity of land there from inundation, and I watched it as it passed by. The matter, in a way, came before our committee at one time, and we had these maps on the wall, and I had occasion to examine them with some care.

I do not desire to throw an obstacle in the way of proper legislation, neither do I want to be called to account some day for having allowed matters of this kind, involving nearly a million of dollars, to go through without that consideration which such measures should receive.

I am under an impression, and had we more time to give this matter I think my impression would be borne out, that the benefits derived by the railroad company far exceed any expenditure which it made in this matter. If that is true, there being no responsible contract under which they did the work, then that in itself should be sufficient reason for not passing the bill.

It was supposed that some things would occur which did not occur. It was supposed that certain dangers existed which proved not to exist. Doubtless the committee has given some consideration to those conditions. But we want the record to justify our votes upon this question. We want the record here upon the occasion of the consideration of this question to be a complete justification for voting seven hundred and odd thousands of dollars to this company. If they were really doing that which was of benefit to their own line, if they improved their road and protected themselves against great loss, then, it being a private enterprise, there is no reason on earth why the Government should stand the expense.

It is said that the then President of the United States made a contract with them. Of course that is impossible. That could not be done under the law, and no vote here should be based upon that statement, because to accept that as true would be to discredit that high officer, the then Chief Magistrate of the country, and I am not willing to do it, and I will base no vote here upon it, because it is intolerable to think for a

moment that the President of the United States would undertake to make a contract with a railroad company for the expenditure of so large a sum of money without any authority. So this case must stand upon its merits outside of the assumption of any contract.

Mr. SMOOT. I wish to state again that the railroad company is not using the bank of the Colorado River where this break occurred for its tracks, and I also wish to call the attention of the Senator to the fact that the officers of the Reclamation Service had gone over this matter very carefully and reported to President Roosevelt the conditions. I notice in the President's letter to the Senate and House of Representatives, dated January 12, 1907, this statement:

If the break in the Colorado is not permanently controlled the financial loss to the United States will be great. The entire irrigable area which will be either submerged or deprived of water in the Imperial Valley and along the Colorado River is capable of adding to the permanent population of Arizona and California at least 350,000 people, and probably 500,000.

Mr. KEAN. What is the Senator reading from?

Mr. SMOOT. From President Roosevelt's letter to the Senate and House of Representatives dated January 12, 1907.

Mr. KEAN. May I also call the Senator's attention to the message of the President of the United States of December 6, 1910?

Mr. SMOOT. I referred in my former statement to President Taft's message.

Mr. KEAN. It is on page 68.

Mr. SMOOT. President Taft, on page 69 of his message, said:

This leads me to invite the attention of Congress to the claim made by the Southern Pacific Railroad Co. for an amount expended in a similar work of relief called for by a flood and great emergency. This work, as I am informed, was undertaken at the request of my predecessor and under promise to reimburse the railroad company. It seems to me the equity of this claim is manifest, and the only question involved is the reasonable value of the work done. I recommend the payment of the claim in a sum found to be just.

Now, I find in a telegram—

Mr. JONES. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. Certainly.

Mr. JONES. The Senator stated that the railroad did not use the bank of the river where the break occurred, but is it not a fact that by reason of the overflow of the country below their track was in danger and likely to be washed out, and in fact was washed out in some places, and it was necessary to have this break stopped in order to protect the line of the railroad down in the valley?

Mr. SMOOT. No, Mr. President; the lower tracks—that is, the original railroad tracks—would have been submerged by water from the Colorado River, but as soon as the break occurred they immediately moved their track to a higher level in the valley, and the water never would have reached them, even if they had allowed the break to continue.

And I was going to say, Mr. President, in a telegram to President Roosevelt from Mr. E. H. Harriman, dated December 19, 1906, he stated:

We are willing to cooperate with the Government, contributing train service, use of tracks and switches, use of rock quarries, train crews, etc., and the California Development Co. will contribute its engineers and organization, the whole work to be done under the Reclamation Service. Can you bring this about?

It is upon this basis and this telegram that we cut the claim down from \$1,636,063.11 to \$773,647.25, and that was the basis upon which the Southern Pacific Railroad Co. undertook to close the break, and that is the just amount that is due the company, as your committee sees it.

Mr. JONES. So the committee is satisfied that after the railroad moved its track it was indifferent whether or not the break should be stopped, as far as the railroad was concerned?

Mr. SMOOT. Absolutely, as far as their tracks were concerned, and the testimony before the committee so showed.

Mr. HEYBURN. Mr. President, I call attention to the fact that there seem to be no copies of the report at hand, and it is impossible without having them to properly consider the matter. Let the bill go over. It has not passed the House?

Mr. SMOOT. No.

Mr. HEYBURN. I will make a suggestion in regard to reports. When a measure of this importance comes up we should never be confronted with a situation of this kind, where there are no copies of the report. A Senator is entitled to have them instantly, and there should be a sufficient number of them so that we should not have to pass a copy backward and forward. We want the drawings and maps and plates, et cetera.

I am not inclined to make captious objection to the passage of this measure in view of the fact that its passage here may not result in its becoming a law; but did I think it would prob-

ably become law at this session of Congress, I should probably more strenuously oppose it. I have given it enough attention to convince me that it ought not to become a law.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The VICE PRESIDENT. The question is, Shall the bill pass? Mr. HEYBURN. On that I ask for the yeas and nays.

The VICE PRESIDENT. The Senator from Idaho demands the yeas and nays. Is there a second? [A pause.] The yeas and nays are not ordered, only one Senator other than the Senator from Idaho seconding the demand.

Mr. HEYBURN. That is probably due to the absence of a quorum. I think this is too great a matter—

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. KEAN. I trust the Senator from Illinois will not do that.

The VICE PRESIDENT. The Senator from Idaho raises the question of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cullom	Johnston	Richardson
Bailey	Cummins	Jones	Scott
Bourne	Curtis	Kean	Smith, Md.
Bradley	Depew	La Follette	Smith, Mich.
Briggs	Dillingham	Lodge	Smoot
Bristow	Dixon	Lorimer	Sutherland
Brown	du Pont	Martin	Terrell
Burkett	Fletcher	Overman	Thornton
Burnham	Flint	Page	Tillman
Burton	Foster	Paynter	Warner
Clapp	Gamble	Percy	Warren
Clarke, Ark.	Guggenheim	Perkins	
Crane	Hale	Piles	
Crawford	Heyburn	Rayner	

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. A quorum of the Senate is present. The yeas have it, and the bill is passed.

Mr. HEYBURN. Mr. President—

Mr. SCOTT. I rise to a question of privilege.

Mr. HEYBURN. Mr. President, there is a matter pending before the Senate.

Mr. SCOTT. The Chair announced that the bill had been passed.

The VICE PRESIDENT. The Senator from West Virginia rises to a question of privilege.

Mr. SCOTT. I have the certificate of the appointment of a colleague in this body to take the place of my late colleague, Senator Elkins. The Senator appointed is present and ready to be sworn in.

The VICE PRESIDENT. The Secretary will read the credentials of the Senator from West Virginia.

Mr. HEYBURN. May I interrupt long enough to request the Chair to withhold the announcement of the result of the vote, inasmuch as there was pending a request for the yeas and nays?

The VICE PRESIDENT. The request had been refused, and the Chair had so announced.

Mr. HEYBURN. It was not refused by a quorum, and I called the attention of the Chair to the absence of a quorum.

The VICE PRESIDENT. But on the roll call a quorum was disclosed as present.

Mr. HEYBURN. Then I am entitled to a vote.

The VICE PRESIDENT. The yeas and nays had been refused. Thereafter the Senator from Idaho raised the question of a quorum. The Chair directed the Secretary to call the roll, and it disclosed that a quorum was present.

Mr. HEYBURN. Did not the announcement of the Chair that the yeas and nays were refused fall upon the Chair's attention being called to the fact that no quorum was present?

The VICE PRESIDENT. That followed. The Senator from Idaho thereafter raised the question of a quorum.

Mr. HEYBURN. That was in order that we might have a vote on the question of ordering the yeas and nays.

The VICE PRESIDENT. The Chair assumes that it was to determine whether there was a quorum present, and the roll call disclosed the fact that a quorum was present.

Mr. HEYBURN. I am not particular about it. I do not desire, of course, to be captious about it.

The VICE PRESIDENT. No.

Mr. HEYBURN. I merely wanted it to appear in the Record, as it will now, that I did not vote for that measure.

The VICE PRESIDENT. Yes.

SENATOR FROM WEST VIRGINIA.

Mr. SCOTT presented the credentials of DAVIS ELKINS, appointed by the governor of West Virginia a Senator from that State to fill, until the next meeting of the legislature thereof,

the vacancy caused by the death of STEPHEN B. ELKINS, which were read.

The VICE PRESIDENT. The Senator appointed will present himself at the desk and the oath of office will be administered to him.

Mr. ELKINS was escorted to the Vice President's desk by Mr. SCOTT, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

PEREMPTORY CHALLENGES OF JURORS.

The VICE PRESIDENT. The next bill on the calendar will be stated.

The SECRETARY. A bill (S. 7102) to amend section 819 of the Revised Statutes of the United States, relating to peremptory challenges of jurors, was announced as the next business in order on the calendar.

Mr. KEAN. I do not see the chairman of the Committee on the Judiciary present, and I ask that the bill may go over.

The VICE PRESIDENT. It will go over.

SAVANNA COAL CO.

The bill (S. 8008) granting to Savanna Coal Co. right to acquire additional acreage to its existing coal lease in the Choctaw Nation, Pittsburg County, Okla., and for other purposes, was announced as the next business in order on the calendar.

Mr. KEAN. This is a bill in which the Senator from Texas [Mr. BAILEY] is interested, and he asked to have it go over, not knowing whether it had been included in another bill which had been passed. I call the attention of the Senator from Texas to the bill.

Mr. BAILEY. Mr. President, it was believed that the purpose of the bill had been served in an amendment to another bill which passed the Senate toward the close of the last session. There was, however, a misdescription of the land, and I have asked my constituents, who are interested in it, to furnish me with a correct description. Until that is done, I ask that the bill be passed over without prejudice.

The VICE PRESIDENT. The bill will go over without prejudice.

HEIRS OF JOHN W. WEST, DECEASED.

The bill (S. 2430) for the relief of the heirs of John W. West, deceased, was considered as in Committee of the Whole. It proposes to pay to the heirs of John W. West, deceased, or their legal representatives, out of any money in the Treasury of the United States standing to the credit of the Cherokee Nation of Indians, \$5,000 and interest at the rate of 5 per cent per annum from September 16, 1884, in full payment for the property of West taken by the Cherokee National Council October 30, 1843.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ISSUE OF PATENTS.

The bill (H. R. 21481) to amend section 4916 of the Revised Statutes, relating to patents, was announced as next in order.

Mr. OVERMAN. Let the bill go over.

The VICE PRESIDENT. It will go over.

Mr. BROWN subsequently said: I ask permission to go back to the bill (H. R. 21481) to amend section 4916 of the Revised Statutes, relating to patents. There was an objection made to its consideration, but it was made under a misapprehension of what the bill really proposes.

Mr. OVERMAN. I withdraw my objection to its consideration. I did not understand the provisions of the bill.

The VICE PRESIDENT. The Senator from North Carolina withdraws his objection. The Secretary will read the bill.

The Secretary read the bill.

Mr. HEYBURN. I ask that it may go over.

The VICE PRESIDENT. The bill will go over.

BILLS AND RESOLUTIONS PASSED OVER.

The bill (H. R. 22317) to authorize quo warranto proceedings in regard to offices in national banks was announced as next in order.

Mr. OVERMAN. Let the bill go over.

The VICE PRESIDENT. It will go over.

The bill (S. 635) for the relief of J. Blair Schoenfelt, former United States Indian agent, Union Agency, Okla., was announced as next in order.

Mr. SMOOT. I ask that the bill may go over.

The VICE PRESIDENT. It will go over.

The next business on the calendar was Senate resolution 257, proposing to discharge the Committee on Privileges and Elections from the further consideration of the joint resolution

(S. J. Res. 41) proposing an amendment to the Constitution of the United States.

Mr. KEAN. Let the resolution go over.

The VICE PRESIDENT. It will go over.

The bill (S. 7724) to provide for the payment of certain moneys advanced by the States of Virginia and Maryland to the United States Government to be applied toward erecting public buildings for the Federal Government in the District of Columbia was announced as next in order.

Mr. SMOOT. Let the bill go over.

The VICE PRESIDENT. It will go over.

The bill (H. R. 7117) to increase the efficiency of the Engineer Corps of the United States Army was announced as next in order.

Mr. OVERMAN. There are some Senators not now present who object to the bill. I myself do not object to it, but I think, under the circumstances, it had better go over.

The VICE PRESIDENT. The bill will go over.

TRAVEL ALLOWANCE IN THE VOLUNTEER ARMY.

The bill (S. 7373) for the relief of volunteer officers and soldiers who served in the Philippine Islands, under the act approved March 2, 1899, was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments.

The first amendment was in section 1, page 1, line 6, to insert "and the act making appropriations for the support of the Regular and Volunteer Armies for the fiscal year ending June 30, 1901 (31 Stat. L., p. 205)," so as to make the section read:

That the provision of the act making appropriations for the support of the Regular and Volunteer Armies for the fiscal year ending June 30, 1900 (31 Stat. L., p. 210), and the act making appropriations for the support of the Regular and Volunteer Armies for the fiscal year ending June 30, 1901 (31 Stat. L., p. 205), which fixed the rate of travel allowance to officers and soldiers upon discharge from the place of discharge to the place of residence at the time of appointment, or to the place of original entry into the service, at the rate of 4 cents a mile, shall not be construed as applying to any officer or enlisted man who entered the service prior to the date of the passage of said act, and who was then in the service and received by reason of the passage of said act less travel allowance than he would have received under the law at the time of appointment or enlistment, and such officers and soldiers shall have their right to travel allowance upon discharge determined by the law (Rev. Stat., secs. 1289 and 1290) in force at the date of entry into the Volunteer Army.

The amendment was agreed to.

The next amendment was, to strike out section 2, in the following words:

Sec. 2. That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, a sufficient sum of money to carry out the provisions of this act.

Mr. KEAN. Let the report be read.

The VICE PRESIDENT. The report will be read.

The Secretary read, in part, the report submitted by Mr. DICK June 16, 1910, which is as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 7373) for the relief of volunteer officers and soldiers who served in the Philippine Islands under the act approved March 2, 1899, having considered the same, submit the following report:

Amend as follows:

1. Insert after the comma after the word "ten," in line 6, the following: "and the act making appropriations for the support of the Regular and Volunteer Armies for the fiscal year ending June 30, 1901. (31 Stat. L., p. 205)."

2. Strike out section 2.

Under an act of Congress passed March 2, 1899, providing for a volunteer army to serve for two years in the Philippine Islands, volunteers were called for and mustered into the service of the United States. Under the law then in force, and which had been on the statute books since 1812, officers and soldiers were to be paid one day's pay for each 20 miles traveled from the place of muster out or discharge to the place of muster in, or to their homes, as provided by Revised Statutes, section 1289, which was as follows:

"Sec. 1289. When an officer is discharged from the service, except by way of punishment for an offense, he shall be allowed transportation and subsistence from the place of his discharge to the place of his residence at the time of his appointment, or to the place of his original muster into the service. The Government may furnish the same in kind, but in case it shall not do so, he shall be allowed travel pay and commutation of subsistence, according to his rank, for such time as may be sufficient for him to travel from the place of discharge to the place of his residence, or original muster into the service, computed at the rate of one day for every 20 miles."

Section 1290 provides in similar terms for enlisted men.

This section provides for transportation and subsistence, or if that is not furnished in kind, travel pay and commutation of subsistence at the rate of one day's pay for each 20 miles of travel. This statute has been a part of the military policy of the United States, as shown by the statute in force since January 11, 1812. The amount fixed by this law for travel pay on discharge was generally more than the cost of the travel, a fact known by the War Department and to the volunteer officers upon their enrollment. It was regarded as a species of bounty on discharge in consideration of their serving through their terms of enlistment or until the Government no longer required their services. Officers who resigned before their term of enlistment was completed did not get the benefit of this statute. (See United States v. Sweet, 189 U. S., 471.)

While the Volunteers thus organized under the act of March 2, 1899, were in the field in the Philippine Islands and had been for a year, Congress passed the following act of May 26, 1900 (13 Stat. L., 210), making appropriations for the Army:

That hereafter when an officer shall be discharged from the service, except by way of punishment for an offense, he shall receive for travel allowances from the place of his discharge to the place of his residence at the time of his appointment or to the place of his original muster into the service, 4 cents per mile; and an enlisted man when discharged from the service, except by way of punishment for an offense, shall receive 4 cents per mile from the place of his discharge to the place of his enlistment, enrollment, or original muster into the service."

When these volunteers were mustered out the following year the Government furnished them transportation in kind as far as San Francisco, Cal., where for the convenience of the Government they were mustered out. They were then no longer on the pay roll and were given only 4 cents per mile to get home.

After serving the full term of their enlistment in the Tropics most of them returned reduced in strength and health, which required some time to fit them for a return to employment in civil life. Thus a reduction of their travel pay worked a hardship, as most of these volunteers were men of moderate means or of no means at all.

It is the opinion of this committee that the act of March 2, 1899, and the act making appropriations for the support of the Regular and Volunteer Armies for the fiscal year ending June 30, 1901, should not apply to the Volunteers then in the service and who had been enrolled and accepted before the passage of such acts.

There is no doubt as to the right of Congress to change the law at any time and that these men would have no standing in the courts, but there is a moral obligation of sufficient force to justify the relief sought by this bill.

The Supreme Court, in a recent decision, used the following language which is applicable to the purposes of this bill:

"We are of the opinion that the parties, situated as were the plaintiffs in these actions, acquired claims upon the Government of an equitable, moral, and honorable nature."

"The nation, speaking broadly, owes a debt to an individual when his claim grows out of general principles of right and justice; when, in other words, it is based upon considerations of a moral or merely honorary nature, such as are binding on the conscience or the honor of an individual, although the debt could obtain no recognition in a court of law." (United States v. Realty Co., 163 U. S., 440.)

The effect of the passage of this bill would be to permit these men to have their pay accounts adjusted and receive the difference in pay from what they actually received on muster out and what they would have received under section 1289, the law in force at the time they entered the service.

By act of Congress passed February 25, 1905, similar relief was granted men in the Navy.

Your committee therefore unanimously recommends the passage of the bill.

Mr. KEAN. I have read the report of the committee. I am satisfied with the bill and I do not ask for a further reading.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Committee on Military Affairs.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL AND RESOLUTION PASSED OVER.

The bill (S. 1745) to amend section 4919 of the Revised Statutes of the United States, to provide additional protection for owners of patents of the United States, and for other purposes, was announced as next in order.

Mr. OVERMAN. Let the bill go over.

The VICE PRESIDENT. It will go over.

The next business on the calendar was Senate resolution 262 to discharge the Committee on the Judiciary from the further consideration of the joint resolution (S. J. Res. 50) proposing an amendment to the Constitution respecting the election of United States Senators.

Mr. KEAN. Let the resolution go over.

The VICE PRESIDENT. It will go over.

INSPECTION OF LOCOMOTIVE BOILERS.

The bill (S. 6702) to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto was considered as in Committee of the Whole.

The bill was reported from the Committee on Interstate Commerce with an amendment to strike out all after the enacting clause and insert:

That the provisions of this act shall apply to any common carrier or carriers, their officers, agents, and employees, engaged in the transportation of passengers or property by railroad in the District of Columbia, or in any Territory of the United States, or from one State or Territory of the United States or the District of Columbia to any other State or Territory of the United States or the District of Columbia, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States. The term "railroad" as used in this act shall include all the roads in use by any common carrier operating a railroad, whether owned or operated under a contract, agreement, or lease, and the term "employees" as used in this act shall be held to mean persons actually engaged in or connected with the movement of any train.

SEC. 2. That from and after the 1st day of January, 1911, it shall be unlawful for any common carrier, its officers or agents, subject to this act to use any locomotive engine propelled by steam power in moving

interstate or foreign traffic unless the boiler of said locomotive and appurtenances thereof comply with the following requirements: Such boiler must be well made, of good and suitable material. Such boiler must be properly made of good and suitable material, with all such machinery and appliances as are requisite for the proper and safe operation of such boiler in the service to which the same is put, and shall be in such condition that the same may be safely employed in the active service of such carrier in moving such traffic without unnecessary peril to life or limb. Such boiler must be able to withstand such test or tests as may be prescribed in the rules and regulations hereinafter provided for.

SEC. 3. That there shall be appointed by the President, by and with the advice and consent of the Senate, an inspector general and two assistant inspectors general of locomotive boilers, who shall have general superintendence of the inspectors hereinafter provided for, direct them in the duties hereby imposed upon them, and see that the requirements of this act and the rules, regulations, and instructions made or given hereunder are observed by common carriers subject hereto. The said inspector general and his two assistants shall be selected with reference to their practical knowledge of the construction and repairing of boilers, and to their fitness and ability to systematize and carry into effect the provisions hereof relating to the inspection and maintenance of locomotive boilers. The inspector general shall receive a salary of \$4,000 per year and the assistant inspectors general shall each receive a salary of \$3,000 per year; and each of the three shall be paid his traveling expenses incurred in the performance of his duties. The office of the inspector general shall be in Washington, D. C., and the Interstate Commerce Commission shall provide such stenographic and clerical help as the business of the offices of the inspector general and his said assistants may require.

SEC. 4. That immediately after his appointment and qualification the inspector general shall divide the territory comprising the several States, the Territories of New Mexico and Arizona, and the District of Columbia into 50 locomotive boiler-inspection districts, so arranged that the service of the inspector appointed for each district shall be most effective, and so that the work required of each inspector shall be substantially the same. Thereupon there shall be appointed by the Interstate Commerce Commission 50 inspectors of locomotive boilers. Said inspectors shall be in the classified service and shall be appointed after competitive examination according to the law and the rules of the Civil Service Commission governing the classified service. The inspector general shall assign one inspector so appointed to each of the districts hereinafter named. Each inspector shall receive a salary of \$1,500 per year and his traveling expenses while engaged in the performance of his duty. He shall receive in addition thereto an annual allowance for office rent, stationery, and clerical assistance, to be fixed by the Interstate Commerce Commission, but not to exceed in the case of any district inspector \$600 per year. In order to obtain the most competent inspectors possible, it shall be the duty of the inspector general to prepare a list of questions to be propounded to applicants with respect to construction, repair, operation, testing, and inspection of locomotive boilers, and their experience in such work, which list, being approved by the Interstate Commerce Commission, shall be used by the Civil Service Commission as a part of its examination. No person interested, either directly or indirectly, in any patented article required to be used on any locomotive under supervision or who is intemperate in his habits shall be eligible to hold the office of either inspector general or assistant or district inspector.

SEC. 5. That each carrier subject to this act shall file its rules and instructions for the inspection of locomotive boilers to the inspector general, and after hearing and approval by the Interstate Commerce Commission such rules and instructions, with such modifications as the commission requires, shall become obligatory upon such carrier. *Provided, however,* That if any carrier subject to this act shall fail to file its rules and instructions the inspector general shall prepare rules and instructions not inconsistent herewith for the inspection of locomotive boilers, to be observed by such carriers; which rules and instructions, being approved by the Interstate Commerce Commission, and a copy thereof being served upon the president, general manager, or general superintendent of such carriers, shall be obligatory, and a violation thereof punished as hereinafter provided. The inspector general shall also make all needful rules, regulations, and instructions not inconsistent herewith for the conduct of his office, for the government of the district inspectors, and prescribing specifically the requirements under section 2: *Provided, however,* That all such rules and instructions shall be approved by the Interstate Commerce Commission before they take effect.

SEC. 6. That it shall be the duty of each inspector to become familiar, so far as practicable, with the condition of each locomotive boiler ordinarily housed or repaired in his district; and if any locomotive is ordinarily housed or repaired in two or more districts, then the inspector general or an assistant shall make such division between inspectors as will avoid the necessity for duplication of work. Each inspector shall make such personal inspection of the locomotive boilers under his care from time to time as may be necessary to fully carry out the provisions of this act and as may be consistent with his other duties, but he shall not be required to make such inspections at stated times or at regular intervals. His first duty shall be to see that the carriers make inspections in accordance with the rules and regulations established or approved by the Interstate Commerce Commission, and that carriers repair the defects which such inspections disclose before the engine or engines affected are again put in service. To this end, each carrier subject to this act shall file with the inspector in charge, under the oath of the proper officer or employee, a duplicate of the report of each inspection required by such rules and regulations, and shall also file with such inspector, under the oath of the proper officer or employee, a report showing the repair of the defects disclosed by the inspection. The rules and regulations hereinafter provided for shall prescribe the time at which such reports shall be made. Whenever any district inspector shall, in the performance of his duty, find any locomotive boiler or apparatus pertaining thereto not conforming to the requirements of the law or the rules and regulations established and approved as hereinafter stated, he shall notify the carrier in writing that the locomotive is not in serviceable condition, and thereafter such boiler shall not be used until in serviceable condition and until the inspector in charge has so certified: *Provided,* That the carrier owning or operating any locomotive, who has been notified by the inspector in writing that the locomotive is not in serviceable condition, may, within 30 days after receiving said notice, appeal to the Interstate Commerce Commission for an examination of said locomotive, and upon such appeal and after hearing said commission shall have power to revise, modify, or set aside such action of the inspector and declare that said locomotive is in serviceable condition and authorize the same to be operated: *Provided*

further, That pending the appeal the requirements of the inspector shall be effective.

SEC. 7. That the inspector general shall make an annual report to the Interstate Commerce Commission of the work done during the year, and shall make such recommendations for the betterment of the service as he may desire.

SEC. 8. That in the case of accident resulting from failure from any cause of a locomotive boiler or its appurtenances, resulting in serious injury or death to one or more persons, a statement forthwith must be made in writing of the fact of such accident, by the carrier owning or operating said locomotive, to the district inspector of the district in which said accident occurs. Whereupon the facts concerning such accident shall be investigated by said inspector or by the inspector general or one of his assistants. And where the locomotive is disabled to the extent that it can not be run by its own steam, the part or parts affected by the said accident shall be preserved by said carrier intact, so far as possible, without hindrance or interference to traffic until after said inspection. The district inspector or inspector general or an assistant shall examine or cause to be examined thoroughly the boiler or part affected, making full and detailed report of the cause of the accident to the inspector general, and a copy of said report shall be published as a part of the annual report of the said inspector general.

SEC. 9. That any common carrier violating this act or any rule or regulation made under its provisions or any lawful order of any inspector shall be liable to a penalty of \$100 for each and every such violation, to be recovered in a suit or suits to be brought by the United States attorney in the district court of the United States having jurisdiction in the locality where such violation shall have been committed; and it shall be the duty of such attorneys, subject to the direction of the Attorney General, to bring such suits upon duly verified information being lodged with them, respectively, of such violations having occurred; and it shall be the duty of the inspector general of locomotive boilers to give information to the proper United States attorney of all violations of this act coming to his knowledge.

Mr. WARREN. Without going into the merits or the necessity of such legislation, I wish to suggest the impropriety of the title "inspector general." Of course, as is known, the words "inspector general" refer to the Army, and there should be some other term for inspector general, as chief inspector.

Mr. KEAN. I suggest the insertion of the word "chief" before "inspector," and to strike out the word "general."

Mr. WARREN. Wherever it may occur. It occurs repeatedly throughout the bill.

Mr. KEAN. Certainly; I make that motion.

The VICE PRESIDENT. The Senator from New Jersey moves to amend the amendment of the committee by substituting the words "chief inspector" for "inspector general" wherever the words "inspector general" appear. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. BURKETT. On page 16, line 23, I move to strike out the word "January" and to insert "July." That postpones the operation of the act for six months.

Mr. KEAN. That is perfectly proper.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 16, line 23, strike out "January" and insert "July," so as to read:

That from and after the 1st day of July, 1911, etc.

The amendment to the amendment was agreed to.

Mr. BURKETT. In section 2, page 17, line 3, after the word "thereof," I move to strike out the remainder of the section and to insert the following—

Mr. KEAN. I have no objection to having the amendments read, which the Senator from Nebraska proposes to offer, but the bill was agreed upon by the Senator from Iowa [Mr. CUMMINS], the Senator from Colorado [Mr. HUGHES], and myself at the last session of Congress with certain amendments which we put into it, and we were authorized by the Committee on Interstate Commerce when we had agreed on those amendments to report the bill to the Senate. I have not seen these amendments and therefore I could not consent that they should be made without consulting my colleagues on the committee. Therefore I shall ask to have the amendments read and that the bill may then go over.

Mr. BURKETT. I will say in reply to what the Senator from New Jersey has said that these amendments were brought to me, and I had supposed that they were amendments which had been agreed to by the committee and by all persons interested in the bill. It is fair, of course, to the Senator from New Jersey, as he has not seen the amendments, to have them considered, and I will not contest his request to have the bill go over, but I ask leave to offer the amendments—there are some three or four of them, perhaps—and have a reprint of the bill with the proposed amendments, indicating them by a different type, so as to show what changes will be made by the amendments.

Mr. KEAN. I have no objection to that course.

The VICE PRESIDENT. Is there objection to the request of the Senator from Nebraska? The Chair hears none. The bill goes over.

Mr. KEAN. In fact, I am very anxious for the passage of the bill, and I ask the Senate to agree by unanimous consent to take up the bill to-morrow immediately after the morning business.

The VICE PRESIDENT. The Senator from New Jersey asks unanimous consent that the bill be made a special order for to-morrow immediately following the routine morning business.

Mr. KEAN. Subject to the unfinished business, of course.

Mr. LODGE. Mr. President, I hope that request will be granted. The bill is a very important one; it has been on the calendar for some time, and I think it can be easily disposed of. I am very glad the Senator from New Jersey has made the request.

Mr. OLIVER. I object.

The VICE PRESIDENT. Objection is made.

Mr. LODGE. Then I hope the Senator from New Jersey or the Senator from Iowa, if he is here, will move to take up the bill. That requires no unanimous consent.

The VICE PRESIDENT. The bill now goes over.

EXECUTIVE SESSION.

Mr. CARTER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 10, 1911, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 9, 1911.

COLLECTORS OF CUSTOMS.

William H. Daniels, of New York, to be collector of customs for the district of Oswegatchie, in the State of New York. (Reappointment.)

John B. Whelan, of Michigan, to be collector of customs for the district of Detroit, in the State of Michigan. (Reappointment.)

William H. Lucas, of Florida, to be collector of customs for the district of Jacksonville, in the State of Florida. (Reappointment.)

ASSISTANT COLLECTOR OF CUSTOMS.

Frank F. Patterson, of New Jersey, to be assistant collector of customs for the port of Camden, N. J., in the district of Philadelphia, in the State of Pennsylvania. (Reappointment.)

PROMOTION IN THE PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Asst. Surg. Frierich Simpson to be passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from October 6, 1910.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Third Lieut. of Engineers Hugh Burton Robinson to be second Lieutenant of engineers in the Revenue-Cutter Service of the United States, to rank as such from June 5, 1910, in place of Second Lieut. of Engineers Edwin Williams Davis, promoted.

Third Lieut. of Engineers Martin Augustus Doyle, to be second lieutenant of engineers in the Revenue-Cutter Service of the United States, to rank as such from November 1, 1910, in place of Second Lieut. of Engineers Harry Marlin Hepburn, resigned.

Cadet Charles Eaton Anstett, of Pennsylvania, to be third lieutenant in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Roy Ackerman Bothwell, of New York, to be third lieutenant in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Wilfrid Neville Derby, of New Jersey, to be third lieutenant in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Clarence Henry Deuch, of Michigan, to be third lieutenant in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Wilmer Hake Eberly, of Pennsylvania, to be third lieutenant in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Henry George Hemingway, of the District of Columbia, to be third lieutenant in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Charles Frederick Kniskern, of New York, to be third lieutenant in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Thomas Sylvester Klinger, of the District of Columbia, to be third lieutenant in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Russell Lord Lucas, of New York, to be third lieutenant in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Leo Charles Mueller, of Wisconsin, to be third lieutenant in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Joseph Edward Stika, of Wisconsin, to be third lieutenant in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Jeremiah Allan Starr, of New York, to be third lieutenant in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet William Kirk Scammell, of the District of Columbia, to be third lieutenant in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet John Merrill Trilck, jr., of Michigan, to be third lieutenant in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Stephen Safford Yeandle, of Georgia, to be third lieutenant in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Frederick August Zscheuschler, of Maryland, to be third lieutenant in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Engineer Francis Clair Allen, of New York, to be third lieutenant of engineers in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Engineer Milton Rockwood Daniels, of the District of Columbia, to be third lieutenant of engineers in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Engineer Benjamin Cribby Thorn, of New York, to be third lieutenant of engineers in the Revenue-Cutter Service of the United States, to fill an original vacancy.

MINISTERS.

H. Clay Howard, of Kentucky, to be envoy extraordinary and minister plenipotentiary of the United States of America to Peru, vice Leslie Combs, resigned.

Elliott Northcott, of West Virginia, now envoy extraordinary and minister plenipotentiary to Colombia, to be envoy extraordinary and minister plenipotentiary of the United States of America to Nicaragua.

SECRETARIES OF EMBASSIES.

Joseph C. Grew, of Massachusetts, now second secretary of the embassy at Berlin, to be secretary of the embassy of the United States of America at Vienna, Austria, vice George B. Rives, nominated to be secretary of the embassy at Rio de Janeiro.

George B. Rives, of New Jersey, now secretary of the embassy at Vienna, to be secretary of the embassy of the United States of America at Rio de Janeiro, Brazil, vice Hoffman Philip, appointed secretary of the embassy at Constantinople.

Nelson O'Shaughnessy, of New York, now second secretary of the embassy at Vienna, to be second secretary of the embassy of the United States of America at Mexico, Mexico, vice G. Andrews Moriarty, jr., nominated to be secretary of the legation at Guatemala.

THIRD SECRETARY OF EMBASSY.

Richard O. Marsh, of Illinois, to be third secretary of the embassy of the United States of America at St. Petersburg, Russia, vice Willing Spencer.

SECRETARIES OF LEGATIONS.

Franklin Mott Gunther, of Virginia, now third secretary of the embassy at Paris, to be secretary of the legation of the United States of America at Managua, Nicaragua.

G. Andrews Moriarty, jr., of Rhode Island, now second secretary of the embassy at Mexico, to be secretary of the legation of the United States of America at Guatemala, Guatemala, vice Frank D. Arnold, appointed third secretary of the embassy at Mexico.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF PORTO RICO.

Pedro De Aldrey, of Porto Rico, vice Jose M. Figueras, deceased, to be associate justice of the supreme court of Porto Rico, provided for in section 33 of an act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes."

ASSISTANT SECRETARY OF THE INTERIOR.

Carmi A. Thompson, of Ohio, to be Assistant Secretary of the Interior, to take effect March 6, 1911, vice Jesse E. Wilson, resigned.

REGISTERS OF THE LAND OFFICE.

Ernest E. Fordham, of Meeker, Colo., to be register of the land office at Glenwood Springs, Colo., vice John F. Squire, removed.

George S. Curtis, of Colorado, to be register of the land office at Leadville, Colo., his term having expired December 19, 1910. (Reappointment.)

Henry W. Kiefer, of Idaho, to be register of the land office at Blackfoot, Idaho, his term having expired December 19, 1910. (Reappointment.)

RECEIVER OF PUBLIC MONEYS.

Walter W. Sparks, of Vancouver, Wash., to be receiver of public moneys at Vancouver, vice Alexander J. Cook, term expired.

PROMOTIONS IN THE ARMY.

GENERAL OFFICERS.

Col. Joseph W. Duncan, Sixth Infantry, to be brigadier general from January 4, 1911, vice Brig. Gen. Walter Howe, retired from active service December 31, 1910.

Col. Walter S. Schuyler, Fifth Cavalry, to be brigadier general from January 5, 1911, vice Brig. Gen. Earl D. Thomas, retired from active service January 4, 1911.

MEDICAL CORPS.

Lieut. Col. Rudolph G. Ebert, Medical Corps, to be colonel from December 27, 1910, vice Col. Joseph B. Girard, retired from active service December 26, 1910.

Lieut. Col. William H. Arthur, Medical Corps, to be colonel from January 1, 1911, vice Col. John M. Banister, retired from active service December 31, 1910.

Maj. Charles Willcox, Medical Corps, to be lieutenant colonel from December 27, 1910, vice Lieut. Col. Rudolph G. Ebert, promoted.

Maj. Thomas U. Raymond, Medical Corps, to be lieutenant colonel from January 1, 1911, vice Lieut. Col. William H. Arthur, promoted.

Maj. Henry D. Snyder, Medical Corps, to be lieutenant colonel from January 1, 1911, to fill an original vacancy.

Maj. Allen M. Smith, Medical Corps, to be lieutenant colonel from January 1, 1911, to fill an original vacancy.

Maj. Joseph T. Clarke, Medical Corps, to be lieutenant colonel from January 1, 1911, to fill an original vacancy.

Capt. Matthew A. Delaney, Medical Corps, to be major from December 27, 1910, vice Maj. Charles Willcox, promoted.

Capt. Horace D. Bloomergh, Medical Corps, to be major from January 1, 1911, vice Maj. Thomas U. Raymond, promoted.

Capt. Paul S. Halloran, Medical Corps, to be major from January 1, 1911, vice Maj. Henry D. Snyder, promoted.

Capt. Kent Nelson, Medical Corps, to be major from January 1, 1911, vice Maj. Allen M. Smith, promoted.

Capt. Peter C. Field, Medical Corps, to be major from January 1, 1911, vice Maj. Joseph T. Clarke, promoted.

Capt. Herbert G. Shaw, Medical Corps, to be major from January 1, 1911, vice Maj. Charles N. Barney, retired from active service December 31, 1910.

Capt. Louis Brechemin, jr., Medical Corps, to be major from January 1, 1911, to fill an original vacancy.

COAST ARTILLERY CORPS.

Second Lieut. John P. Smith, Coast Artillery Corps, to be first lieutenant from January 1, 1911, vice First Lieut. Robert N. Campbell, resigned December 31, 1910.

INFANTRY ARM.

First Lieut. Samuel A. Price, Twenty-eighth Infantry, to be captain from December 28, 1910, vice Capt. John M. Sigworth, Twenty-third Infantry, who died December 27, 1910.

PROMOTIONS IN THE NAVY.

Lieut. George T. Pettengill to be a lieutenant commander in the Navy from the 14th day of October, 1910, vice Lieut. Commander Walter J. Manion, retired.

Lieut. (Junior Grade) William T. Lightle to be a lieutenant in the Navy from the 1st day of July, 1910, vice Ensign Coburn S. Marston, who was due for promotion but retired before qualifying therefor.

Passed Asst. Paymaster William C. Fite to be a paymaster in the Navy from the 25th day of May, 1910, vice Paymaster William T. Wallace, retired.

Passed Asst. Paymaster James A. Bull to be a paymaster in the Navy from the 2d day of August, 1910, vice Paymaster Harry E. Biscoe, promoted.

Asst. Surg. Charles J. Holeman to be a passed assistant surgeon in the Navy from the 21st day of September, 1910, upon the completion of three years' service as an assistant surgeon.

The following-named citizens to be assistant surgeons in the Navy from the 24th day of December, 1910, to fill vacancies existing in that grade on that date:

Chester McL. George, a citizen of Pennsylvania; and
Luther Sheldon, Jr., a citizen of New York.

Le Roy N. Taylor, a citizen of New York, to be a chaplain in the Navy from the 23d day of December, 1910, to fill a vacancy existing in that grade on that date.

Boatswain Andrew Madsen to be a chief boatswain in the Navy from the 16th day of May, 1910, upon the completion of six years' service as a boatswain.

Machinist Arthur T. Percival to be a chief machinist in the Navy from the 3d day of March, 1910, upon the completion of service as a machinist of six years, plus service of one year during suspension from promotion after failure at examination.

Maj. Charles J. Long to be a lieutenant colonel in the United States Marine Corps from the 11th day of October, 1910, vice Lieut. Col. George Barnette, promoted.

Ensign Ernest Durr to be a lieutenant (junior grade) in the Navy from the 31st day of January, 1910, upon the completion of three years' service as an ensign.

Lieut. (Junior Grade) Ernest Durr to be a lieutenant in the Navy from the 1st day of July, 1910, vice Lieut. Alexander N. Mitchell, promoted.

Asst. Surg. Harry A. Garrison to be a passed assistant surgeon in the Navy from the 27th day of June, 1910, upon the completion of three years' service as an assistant surgeon.

Asst. Paymaster Thomas P. Ballenger to be a passed assistant paymaster in the Navy from the 2d day of January, 1911, vice Passed Asst. Paymaster Chester G. Mayo, promoted.

Robert W. Clark, a citizen of New York, to be an assistant paymaster in the Navy from the 3d day of January, 1911, to fill a vacancy existing in that grade on that date.

The following-named midshipmen to be ensigns in the Navy from the 6th day of June, 1910, to fill vacancies existing in that grade on that date:

Frederick H. Babcock,
Walter Smith,
George H. Emmerson,
John A. Nelson,
James L. Kauffman,
Robert A. Burg,
William D. Brereton, Jr.,
William R. Munroe,
Greer A. Duncan,
Arthur S. Carpenter,
Jules James,
Howard B. Mecleary,
Charles L. Best,
Lloyd C. Stark,
Eddie J. Estess,
James D. Moore,
David F. Ducey,
Donald T. Hunter,
Edwin Guthrie,
James D. Smith,
Joseph B. Clark,
Kenneth Heron,
Samuel S. Payne,
Allan G. Olson,
Herbert B. Labhardt,
Leland Jordan, Jr.,
Edward G. Blakeslee,
Worrall R. Carter,
John C. Jennings,
Henry B. Le Bourgeois,
Laurance S. Stewart,
Robert E. Rogers,
Franklin P. Conger, and
Aquila G. Dibrell.

POSTMASTERS.

ARIZONA.

Ella G. Clarke to be postmaster at Florence, Ariz. Office became presidential January 1, 1911.

Frederick W. Smith to be postmaster at Williams, Ariz., in place of Frederick W. Smith. Incumbent's commission expires January 18, 1911.

John Witherlay to be postmaster at Wickenburg, Ariz. Office became presidential January 1, 1911.

CALIFORNIA.

John L. Brown to be postmaster at Turlock, Cal., in place of John L. Brown. Incumbent's commission expires January 10, 1911.

John M. Johnson to be postmaster at Wheatland, Cal., in place of John M. Johnson. Incumbent's commission expires January 10, 1911.

Alva L. Merrill to be postmaster at Kennett, Cal., in place of Alva L. Merrill. Incumbent's commission expires January 31, 1911.

Henry W. Nash to be postmaster at Stirling City, Cal., in place of Henry W. Nash. Incumbent's commission expired December 10, 1910.

Benjamin F. Newby to be postmaster at Dixon, Cal., in place of Benjamin F. Newby. Incumbent's commission expired December 10, 1910.

J. S. Reese to be postmaster at Oilcenter, Cal., in place of Otto C. Heck, resigned.

Guy S. Turner to be postmaster at Delano, Cal. Office became presidential January 1, 1911.

COLORADO.

Lafayette E. Bradley to be postmaster at Ouray, Colo., in place of Mabel E. Strout. Incumbent's commission expired December 6, 1910.

Emma C. Burke to be postmaster at Sterling, Colo., in place of Emma C. Burke. Incumbent's commission expired December 10, 1910.

Moses E. Lewis to be postmaster at Florence, Colo., in place of Moses E. Lewis. Incumbent's commission expires February 7, 1911.

Maude E. McLean to be postmaster at Breckenridge, Colo., in place of Maude E. McLean. Incumbent's commission expires February 13, 1911.

Walter Spencer to be postmaster at Craig, Colo. Office became presidential October 1, 1910.

CONNECTICUT.

H. Guy Linsley to be postmaster at Branford, Conn., in place of H. Guy Linsley. Incumbent's commission expires January 18, 1911.

John McGinley to be postmaster at New London, Conn., in place of John McGinley. Incumbent's commission expires January 10, 1911.

DELAWARE.

James A. Hiron to be postmaster at Dover, Del., in place of Douglass C. Ailee. Incumbent's commission expires January 23, 1911.

GEORGIA.

John M. Barnes to be postmaster at Thomson, Ga., in place of John M. Barnes. Incumbent's commission expired June 29, 1910.

IDAHO.

Felix Burgess to be postmaster at Ashton, Idaho. Office became presidential January 1, 1911.

E. H. Miles to be postmaster at Shoshone, Idaho, in place of John T. Witty, resigned.

ILLINOIS.

Frank Brusor to be postmaster at New Boston, Ill. Office became presidential July 1, 1910.

Charles D. Clark to be postmaster at Utica, Ill., in place of Charles D. Clark. Incumbent's commission expires January 18, 1911.

Theodore Disosway to be postmaster at Henry, Ill., in place of Theodore Disosway. Incumbent's commission expires January 18, 1911.

Mary E. Hall to be postmaster at Wyanet, Ill., in place of Reuben E. Hall, deceased.

Eugene A. Hall to be postmaster at Oquawka, Ill. Office became presidential October 1, 1907.

Charles S. Randolph to be postmaster at Ipava, Ill., in place of Charles S. Randolph. Incumbent's commission expired December 13, 1910.

Ulysses E. Smith to be postmaster at Metropolis, Ill., in place of Ulysses E. Smith. Incumbent's commission expires January 18, 1911.

Gaither C. Walser to be postmaster at West Salem, Ill., in place of Gaither C. Walser. Incumbent's commission expires January 18, 1911.

INDIANA.

Willard Lucas to be postmaster at New Haven, Ind. Office became presidential January 1, 1911.

IOWA.

Eugene J. Birchard to be postmaster at Kellogg, Iowa, in place of Eugene J. Birchard. Incumbent's commission expires January 31, 1911.

Edward C. Brown to be postmaster at Dewitt, Iowa, in place of Edward C. Brown. Incumbent's commission expires January 31, 1911.

Charles C. Burgess to be postmaster at Cresco, Iowa, in place of Charles C. Burgess. Incumbent's commission expires January 31, 1911.

John C. Campbell to be postmaster at Bellevue, Iowa, in place of John C. Campbell. Incumbent's commission expires February 13, 1911.

Francis H. Farley to be postmaster at Sloan, Iowa, in place of Francis H. Farley. Incumbent's commission expires January 10, 1911.

Vellas L. Gilje to be postmaster at Elkader, Iowa, in place of Vellas L. Gilje. Incumbent's commission expires January 31, 1911.

Thomas J. Hoffman to be postmaster at Vail, Iowa, in place of Thomas J. Hoffman. Incumbent's commission expired December 20, 1910.

Edwin W. McCracken to be postmaster at Scranton, Iowa, in place of Edwin W. McCracken. Incumbent's commission expires January 10, 1911.

John Meyer to be postmaster at Alton, Iowa, in place of John Meyer. Incumbent's commission expired January 9, 1911.

Charles J. Millican to be postmaster at Milo, Iowa. Office became presidential January 1, 1911.

Albert F. Morse to be postmaster at Newell, Iowa, in place of Albert F. Morse. Incumbent's commission expired December 13, 1910.

Malcolm Peterson to be postmaster at Pomeroy, Iowa, in place of Malcolm Peterson. Incumbent's commission expired December 13, 1910.

A. M. Phillips to be postmaster at Maquoketa, Iowa, in place of A. M. Phillips. Incumbent's commission expired April 25, 1910.

Minnie A. Phoenix to be postmaster at Ruthven, Iowa, in place of Minnie A. Phoenix. Incumbent's commission expired December 13, 1910.

Samuel J. Robertson to be postmaster at Fort Dodge, Iowa, in place of Samuel J. Robertson. Incumbent's commission expires January 31, 1911.

Elmer E. Schrack to be postmaster at Parkersburg, Iowa, in place of Elmer E. Schrack. Incumbent's commission expired June 28, 1910.

George A. Sedgwick to be postmaster at Hawarden, Iowa, in place of George A. Sedgwick. Incumbent's commission expires January 31, 1911.

R. S. Sherwood to be postmaster at Burt, Iowa, in place of Frank J. Mann, resigned.

Roman C. White to be postmaster at Glenwood, Iowa, in place of Roman C. White. Incumbent's commission expired April 5, 1910.

Elizabeth Winchell to be postmaster at Malcom, Iowa. Office became presidential July 1, 1910.

KANSAS.

Phillip S. Dick to be postmaster at Mount Hope, Kans. Office became presidential January 1, 1911.

Charles N. Hunt to be postmaster at Arkansas City, Kans., in place of Cyrus McN. Scott. Incumbent's commission expired December 18, 1910.

Elwood J. Muzzy to be postmaster at Lenora, Kans. Office became presidential January 1, 1911.

Jonah E. Nickols to be postmaster at Atwood, Kans., in place of Jonah E. Nickols. Incumbent's commission expires January 10, 1910.

William P. Olmstead to be postmaster at Anthony, Kans., in place of George B. Crooker. Incumbent's commission expires January 10, 1911.

John M. Van Scoyoc to be postmaster at Luray, Kans. Office became presidential January 1, 1911.

Joseph H. Woollen to be postmaster at Mankato, Kans., in place of Joseph H. Woollen. Incumbent's commission expires January 10, 1911.

MAINE.

Amos F. Carleton to be postmaster at Belfast, Me., in place of Frank L. Field. Incumbent's commission expired December 13, 1910.

MARYLAND.

William B. Coleman to be postmaster at Chesapeake City, Md. Office became presidential October 1, 1910.

MASSACHUSETTS.

Louis L. Campbell to be postmaster at Northampton, Mass., in place of Louis L. Campbell. Incumbent's commission expires January 30, 1911.

Charles E. Cook to be postmaster at Uxbridge, Mass., in place of Charles E. Cook. Incumbent's commission expires January 10, 1911.

Lorenzo B. Crockett to be postmaster at North Easton, Mass., in place of Lorenzo B. Crockett. Incumbent's commission expires January 18, 1911.

Lowell A. Jordan to be postmaster at West Upton, Mass. Office became presidential January 1, 1911.

Charles W. Lincoln to be postmaster at Holbrook, Mass., in place of Charles W. Lincoln. Incumbent's commission expires January 10, 1911.

Walter L. Shaw to be postmaster at Palmer, Mass., in place of Walter L. Shaw. Incumbent's commission expires January 30, 1911.

Carl Wurtzbach to be postmaster at Lee, Mass., in place of Carl Wurtzbach. Incumbent's commission expired January 7, 1911.

MICHIGAN.

John Ames to be postmaster at Lake Linden, Mich., in place of John Ames. Incumbent's commission expires January 23, 1911.

Robert H. Barnum to be postmaster at Iron River, Mich., in place of Robert H. Barnum. Incumbent's commission expired December 10, 1910.

James W. Dey to be postmaster at Springport, Mich., in place of James W. Dey. Incumbent's commission expires January 10, 1911.

E. Jefferson Hall to be postmaster at Marion, Mich., in place of E. Jefferson Hall. Incumbent's commission expires January 10, 1911.

Gordon J. Murray to be postmaster at Michigamme, Mich. Office became presidential January 1, 1911.

Frank E. Shattuck to be postmaster at Sand Lake, Mich. Office became presidential January 1, 1911.

MINNESOTA.

John C. Crabb to be postmaster at Rochester, Minn., in place of Charles E. Callaghan. Incumbent's commission expired June 22, 1910.

Albert J. Factor to be postmaster at Montgomery, Minn., in place of John Sheahy. Incumbent's commission expires February 28, 1911.

Edward F. Gummer to be postmaster at Frazee, Minn., in place of Edward F. Gummer. Incumbent's commission expires January 23, 1911.

S. J. Huntley to be postmaster at Spring Valley, Minn., in place of Edmund W. Thayer. Incumbent's commission expired March 23, 1910.

Ernest P. Le Masurier to be postmaster at Hallock, Minn., in place of Ernest P. Le Masurier. Incumbent's commission expires January 10, 1911.

Severin Mattson to be postmaster at Braham, Minn., in place of Severin Mattson. Incumbent's commission expires January 10, 1911.

Laurence O'Brien to be postmaster at Preston, Minn., in place of Laurence O'Brien. Incumbent's commission expired February 27, 1910.

Charles A. Pearson to be postmaster at Roseau, Minn., in place of Charles A. Pearson. Incumbent's commission expires January 10, 1911.

Dolly B. Thompson to be postmaster at Kasota, Minn. Office became presidential January 1, 1911.

Olaves A. Wilson to be postmaster at McIntosh, Minn., in place of Olaves A. Wilson. Incumbent's commission expires January 10, 1911.

MONTANA.

James C. Bailey to be postmaster at Whitefish, Mont., in place of Percy F. Dodds, resigned.

H. W. Douglas to be postmaster at Polson, Mont. Office became presidential October 1, 1910.

Sydney L. Foster to be postmaster at Sheridan, Mont. Office became presidential January 1, 1911.

Louden Minugh to be postmaster at Harlem, Mont. Office became presidential July 1, 1910.

Arthur E. Northey to be postmaster at Sidney, Mont. Office became presidential January 1, 1911.

MISSOURI.

George E. Melvin to be postmaster at Ridgeway, Mo., in place of Harvey D. Grinstead, resigned.

George W. Tappmeyer to be postmaster at Owensville, Mo. Office became presidential January 1, 1911.

James S. Weldon to be postmaster at St. Clair, Mo. Office became presidential January 1, 1911.

NEBRASKA.

Frank M. Cox to be postmaster at Waco, Nebr. Office became presidential January 1, 1911.

Henry E. Langevin to be postmaster at Curtis, Nebr., in place of Henry E. Langevin. Incumbent's commission expires January 31, 1911.

W. A. McAllister to be postmaster at Columbus, Nebr., in place of Carl Kramer. Incumbent's commission expired January 23, 1910.

F. C. Schroeder to be postmaster at Eustis, Nebr. Office became presidential January 1, 1911.

NEW JERSEY.

L. W. Cramer to be postmaster at Mays Landing, N. J., in place of L. W. Cramer. Incumbent's commission expired June 22, 1910.

Marcus Mitchell to be postmaster at East Orange, N. J., in place of Marcus Mitchell. Incumbent's commission expires January 18, 1911.

NEW YORK.

Fred E. Allen to be postmaster at Whitney Point, N. Y., in place of Fred E. Allen. Incumbent's commission expires January 31, 1911.

David A. Doyle to be postmaster at Katonah, N. Y., in place of David A. Doyle. Incumbent's commission expired January 7, 1911.

Thomas A. Gibson to be postmaster at Cape Vincent, N. Y., in place of Catherine Wiggins, resigned.

Frank W. Higgins to be postmaster at Wellsville, N. Y., in place of Frank W. Higgins. Incumbent's commission expires January 22, 1911.

John F. Kelly to be postmaster at Kings Park, N. Y., in place of John F. Kelly. Incumbent's commission expired December 18, 1910.

George L. Nichol to be postmaster at West New Brighton, N. Y., in place of Robert P. Brown, deceased.

John A. Raser to be postmaster at Harrison, N. Y., in place of John A. Raser. Incumbent's commission expires February 6, 1911.

Winfield S. Vandewater to be postmaster at Cedarhurst, N. Y., in place of Winfield S. Vandewater. Incumbent's commission expires January 16, 1911.

Edward Williams to be postmaster at Granville, N. Y., in place of Edward Williams. Incumbent's commission expired December 19, 1910.

Frank D. Wood to be postmaster at Bergen, N. Y., in place of Hattie A. Walker, resigned.

OHIO.

John W. Bath to be postmaster at Elyria, Ohio, in place of John W. Bath. Incumbent's commission expired June 29, 1910.

F. G. Hunker to be postmaster at Middleport, Ohio, in place of W. R. Haptonstal, resigned.

Jacob C. Irwin to be postmaster at Degraff, Ohio, in place of Jacob C. Irwin. Incumbent's commission expires January 29, 1911.

Bruce E. McClure to be postmaster at Grover Hill, Ohio. Office became presidential January 1, 1910.

D. L. Webb to be postmaster at Greenwich, Ohio, in place of Fanny B. Allen, resigned.

Warren W. Williams to be postmaster at Jeffersonville, Ohio, in place of Warren W. Williams. Incumbent's commission expired January 14, 1908.

OKLAHOMA.

John A. Banker to be postmaster at Kingfisher, Okla., in place of Wallace R. Kelley. Incumbent's commission expired June 28, 1910.

Susan M. Bradbury to be postmaster at Wetumka, Okla., in place of John P. Bradbury, resigned.

Millard T. Kirk to be postmaster at Bartlesville, Okla., in place of William Higgins, removed.

OREGON.

Thomas L. Ambler to be postmaster at Mount Angel, Oreg., in place of Thomas L. Ambler. Incumbent's commission expires January 10, 1911.

Fred W. Cady to be postmaster at Beaverton, Oreg. Office became presidential January 1, 1911.

J. E. Holstrom to be postmaster at Shaniko, Oreg. Office became presidential July 1, 1910.

Adam H. Knight to be postmaster at Canby, Oreg. Office became presidential January 1, 1911.

George H. Letellier to be postmaster at Mill City, Oreg. Office became presidential January 1, 1911.

Elmer F. Russell to be postmaster at North Bend, Oreg., in place of Elmer F. Russell. Incumbent's commission expires January 31, 1911.

Charles M. Smith to be postmaster at Jefferson, Oreg. Office became presidential January 1, 1911.

Edward D. Starr to be postmaster at Brownsville, Oreg., in place of Edward D. Starr. Incumbent's commission expires January 12, 1911.

Arlington B. Watt to be postmaster at Amity, Oreg. Office became presidential January 1, 1911.

Hugh O. Worthington to be postmaster at Athena, Oreg., in place of Louis A. Githens, deceased.

PENNSYLVANIA.

John H. Bishop to be postmaster at Millersville, Pa., in place of John H. Bishop. Incumbent's commission expires January 22, 1911.

William J. Boggs to be postmaster at Ford City, Pa., in place of William J. Boggs. Incumbent's commission expired January 7, 1911.

Roman E. Koehler to be postmaster at Donora, Pa., in place of Lucien T. Claybaugh. Incumbent's commission expired December 11, 1910.

John T. McCormick to be postmaster at Milroy, Pa. Office became presidential January 1, 1911.

Samuel R. McMorran to be postmaster at Aspinwall, Pa., in place of Samuel R. McMorran. Incumbent's commission expires January 28, 1911.

William H. Pennell to be postmaster at Duncannon, Pa., in place of William H. Pennell. Incumbent's commission expires January 22, 1911.

RHODE ISLAND.

Warren W. Logee to be postmaster at Pascoag, R. I., in place of Warren W. Logee. Incumbent's commission expires January 29, 1911.

SOUTH CAROLINA.

James B. Bodie to be postmaster at Leesville, S. C., in place of James B. Bodie. Incumbent's commission expires January 22, 1911.

Levi S. Bowers to be postmaster at Prosperity, S. C., in place of Levi S. Bowers. Incumbent's commission expires January 22, 1911.

Charles E. Carman to be postmaster at Aiken, S. C., in place of Charles E. Carman. Incumbent's commission expired June 22, 1910.

C. D. Cooper to be postmaster at Mayesville, S. C. Office became presidential January 1, 1911.

J. W. Geraty to be postmaster at Yorges Island, S. C. Office became presidential January 1, 1911.

Samuel J. Leaphart to be postmaster at Lexington, S. C., in place of Samuel J. Leaphart. Incumbent's commission expired December 11, 1910.

Thomas B. McLaurin to be postmaster at Bennettsville, S. C., in place of Thomas B. McLaurin. Incumbent's commission expires January 30, 1911.

Benjamin H. Massey to be postmaster at Fort Mill, S. C., in place of Benjamin H. Massey. Incumbent's commission expires January 22, 1911.

Jefferson F. Richardson to be postmaster at Greenville, S. C., in place of Jefferson F. Richardson. Incumbent's commission expired December 11, 1910.

George D. Shore to be postmaster at Sumter, S. C., in place of George D. Shore. Incumbent's commission expired December 11, 1910.

Paul H. E. Sloan, jr., to be postmaster at Pendleton, S. C. Office became presidential October 1, 1910.

TENNESSEE.

Ira Marshall Coile to be postmaster at Jefferson City, Tenn., in place of Frank W. Galbraith. Incumbent's commission expired December 10, 1910.

VERMONT.

Ernest W. Chase to be postmaster at Rochester, Vt. Office became presidential October 1, 1910.

John L. Lewis to be postmaster at North Troy, Vt., in place of Georgia E. Lewis. Incumbent's commission expired December 18, 1910.

James E. Pollard to be postmaster at Chester, Vt., in place of James E. Pollard. Incumbent's commission expires January 10, 1911.

James H. Viele to be postmaster at Essex Junction, Vt., in place of James H. Viele. Incumbent's commission expires January 23, 1911.

VIRGINIA.

Charles Q. Edwards to be postmaster at Alta Vista, Va. Office became presidential January 1, 1911.

Harry Libbey to be postmaster at Hampton, Va., in place of Harry Libbey. Incumbent's commission expires January 18, 1911.

George W. Rose to be postmaster at Toms Creek (late Georgel), Va., to change name of office. Office became presidential January 1, 1911.

WASHINGTON.

Charles A. Gwinn to be postmaster at Garfield, Wash., in place of Charles A. Gwinn. Incumbent's commission expired December 20, 1910.

Hiram Hammer to be postmaster at Sedro Woolley, Wash., in place of Hiram Hammer. Incumbent's commission expired December 10, 1910.

Harvey S. Irwin to be postmaster at Okanogan, Wash. Office became presidential April 1, 1910.

Carl M. Johanson to be postmaster at Newport, Wash., in place of Rosseter I. Towle, resigned.

WEST VIRGINIA.

Napoleon B. Arbogast to be postmaster at Durbin, W. Va. Office became presidential October 1, 1910.

WISCONSIN.

Fred R. Helmer to be postmaster at Clinton, Wis., in place of Fred R. Helmer. Incumbent's commission expires January 31, 1911.

Thomas Hill to be postmaster at Spring Green, Wis., in place of Thomas Hill. Incumbent's commission expired December 20, 1910.

William H. Landolt to be postmaster at Wauwatosa, Wis., in place of William H. Landolt. Incumbent's commission expires January 23, 1911.

James McGinty to be postmaster at Darlington, Wis., in place of James McGinty. Incumbent's commission expires February 4, 1911.

Clayton G. Morgan to be postmaster at Oakfield, Wis. Office became presidential January 1, 1910.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 9, 1911.

MINISTER TO NICARAGUA.

Elliott Northcott, minister to Nicaragua.

POSTMASTERS.

ILLINOIS.

Edith Cole, Marshall.
Edmund E. Dow, Neoga.
James McClintock, Hinsdale.

MAINE.

Amos A. Carleton, Belfast.

NEW YORK.

Le Roy Becker, Cobleskill.
Edwin A. Clark, Center Moriches.
Edward A. Hildreth, Bridgehampton.

PENNSYLVANIA.

Hiram H. McDonough, Cheswick.

SOUTH DAKOTA.

John Bell, Spearfish.

WITHDRAWALS.

Executive nominations withdrawn January 9, 1911.

POSTMASTERS.

PENNSYLVANIA.

Winfred W. Marsh to be postmaster at Westfield, in the State of Pennsylvania.

OREGON.

John H. Coe to be postmaster at Shaniko, in the State of Oregon.

HOUSE OF REPRESENTATIVES.

MONDAY, January 9, 1911.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of Saturday, January 7, 1911, was read and approved.

THE RULES.

Mr. FULLER. Mr. Speaker, I rise to a question of high privilege.

The SPEAKER. The gentleman will state it.

Mr. FULLER. Mr. Speaker, I send to the Clerk's desk a resolution, which I ask to have read.

The Clerk read as follows:

Resolved, That Rule XXVIII, paragraph 4, be, and the same is hereby, amended so that the clause which now reads, "Such motion shall have precedence over motions to suspend the rules," shall be made to read, "Such motions shall not have precedence over motions to suspend the rules."

Mr. MANN. Mr. Speaker, I make the point of order that the resolution is not privileged.

The SPEAKER. The gentleman from Illinois [Mr. FULLER] rises to a privileged question, I take it.

Mr. FULLER. A question of constitutional privilege.

The SPEAKER. And offers the resolution which has just been read.

Mr. MANN. Mr. Speaker, and to that I make the point of order that the motion is not a privileged motion.

The SPEAKER. The gentleman from Illinois [Mr. MANN] makes the point of order that the resolution is not a privileged resolution. The Chair will hear the gentleman from Illinois [Mr. FULLER].

Mr. FULLER. Mr. Speaker, in order not to interfere with the business of the Committee on the District of Columbia, this being, as I regard it, the most important question to come before the House at this session, I ask unanimous consent that it be made a special order for to-morrow morning, to be considered immediately after the reading of the Journal, including the discussion on the point of order.

Mr. GILLETT. Mr. Speaker, I shall have to object to that. I would like to go on to-morrow with the legislative appropriation bill.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the resolution and the point of order thereto may go over until to-morrow morning, to be considered immediately after the approval of the Journal. Is there objection?

Mr. FITZGERALD. I object.

Mr. GILLETT. Mr. Speaker, I object. I wish to go on with the legislative appropriation bill.

The SPEAKER. The gentleman from Massachusetts objects. The Chair will hear the gentleman from Illinois [Mr. FULLER].

Mr. FULLER. Mr. Speaker, so far as the point of order is concerned, that question was settled by this House on the 10th day of last March, by a vote of the House itself, and that is the law of this House until repealed. It was then decided that under the Constitution of the United States a motion of this kind is in order at any time. It has been said time and again, Mr. Speaker, that a majority of this House could do what it pleased at any time, and I believe that to be true. But it is true, however, only if each and every Member of this House realizes the responsibility that rests upon him, and ceases to sit like a bump on a log while a half dozen gentlemen in a little circle extending on each side of the center aisle of this House tell them when to answer aye and when to answer no, and when they may be heard, or not heard, upon any question. There is, I am sorry to say, in Rule XXVIII, clause 4, as it was adopted, a little joker that absolutely prevents a majority of two-thirds even from ever suspending the rules to get action upon any bill before this House at any time.

That little clause there which provides that such motions shall have precedence over motions to suspend the rules makes it absolutely impossible to suspend the rules at any time for any purpose, if any one gentleman sees fit to obstruct; makes it absolutely impossible that a motion to suspend the rules can ever at any time be considered by this House even if 390 Members favor the motion, if one astute and industrious Member, like the gentleman from the second district of Illinois, is opposed thereto. Mr. Speaker, on the last suspension day, which was the 19th of December last—and we can have only two suspension days in a month—the gentleman from Illinois called up, under clause 4 of Rule XXVIII, a bill that consumed the entire day, and would consume the entire next suspension day if this rule remains unchanged. Fearing, then, that there might, after that motion was disposed of, be some time on a